



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0304

Introduced 1/19/2007, by Rep. Elizabeth Coulson

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3960/6

from Ch. 111 1/2, par. 1156

Amends the Illinois Health Facilities Planning Act. Requires that any written reviews or findings of the Department of Public Health or any other reviewing organization concerning an application for a permit must be made available to the public at least 14 calendar days before the meeting of the State Board at which the review or findings are considered. Provides that, at least 2 business days before the meeting of the State Board, the applicant and members of the public may submit, to the State Board, written responses in support of or in opposition to these reviews or findings. Provides that, at the meeting, the State Board may, in its discretion, permit the submission of additional written materials.

LRB095 03559 BDD 25927 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Health Facilities Planning Act is  
5 amended by changing Section 6 as follows:

6 (20 ILCS 3960/6) (from Ch. 111 1/2, par. 1156)

7 (Section scheduled to be repealed on April 1, 2007)

8 Sec. 6. Application for permit or exemption; exemption  
9 regulations.

10 (a) An application for a permit or exemption shall be made  
11 to the State Board upon forms provided by the State Board. This  
12 application shall contain such information as the State Board  
13 deems necessary. Such application shall include affirmative  
14 evidence on which the Director may make the findings required  
15 under this Section and upon which the State Board may make its  
16 decision on the approval or denial of the permit or exemption.

17 (b) The State Board shall establish by regulation the  
18 procedures and requirements regarding issuance of exemptions.  
19 An exemption shall be approved when information required by the  
20 Board by rule is submitted. Projects eligible for an exemption,  
21 rather than a permit, include, but are not limited to, change  
22 of ownership of a health care facility. For a change of  
23 ownership of a health care facility between related persons,

1 the State Board shall provide by rule for an expedited process  
2 for obtaining an exemption.

3 (c) All applications shall be signed by the applicant and  
4 shall be verified by any 2 officers thereof.

5 (c-5) Any written review or findings of the Agency or any  
6 other reviewing organization under Section 8 concerning an  
7 application for a permit must be made available to the public  
8 at least 14 calendar days before the meeting of the State Board  
9 at which the review or findings are considered. The applicant  
10 and members of the public may submit, to the State Board,  
11 written responses in support of or in opposition to the review  
12 or findings of the Agency or reviewing organization. A written  
13 response must be submitted at least 2 business days before the  
14 meeting of the State Board. At the meeting, the State Board  
15 may, in its discretion, permit the submission of additional  
16 written materials.

17 (d) Upon receipt of an application for a permit, the State  
18 Board shall approve and authorize the issuance of a permit if  
19 it finds (1) that the applicant is fit, willing, and able to  
20 provide a proper standard of health care service for the  
21 community with particular regard to the qualification,  
22 background and character of the applicant, (2) that economic  
23 feasibility is demonstrated in terms of effect on the existing  
24 and projected operating budget of the applicant and of the  
25 health care facility; in terms of the applicant's ability to  
26 establish and operate such facility in accordance with

1 licensure regulations promulgated under pertinent state laws;  
2 and in terms of the projected impact on the total health care  
3 expenditures in the facility and community, (3) that safeguards  
4 are provided which assure that the establishment, construction  
5 or modification of the health care facility or acquisition of  
6 major medical equipment is consistent with the public interest,  
7 and (4) that the proposed project is consistent with the  
8 orderly and economic development of such facilities and  
9 equipment and is in accord with standards, criteria, or plans  
10 of need adopted and approved pursuant to the provisions of  
11 Section 12 of this Act.

12 (Source: P.A. 93-41, eff. 6-27-03.)