

1 AN ACT concerning regulation.

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

4 Section 5. The Nursing Home Care Act is amended by changing
5 Section 3-202 as follows:

6 (210 ILCS 45/3-202) (from Ch. 111 1/2, par. 4153-202)

7 Sec. 3-202. The Department shall prescribe minimum
8 standards for facilities. These standards shall regulate:

9 (1) Location and construction of the facility, including
10 plumbing, heating, lighting, ventilation, and other physical
11 conditions which shall ensure the health, safety, and comfort
12 of residents and their protection from fire hazard;

13 (2) Number and qualifications of all personnel, including
14 management and nursing personnel, having responsibility for
15 any part of the care given to residents; specifically, the
16 Department shall establish staffing ratios for facilities
17 which shall specify the number of staff hours per resident of
18 care that are needed for professional nursing care for various
19 types of facilities or areas within facilities;

20 (3) All sanitary conditions within the facility and its
21 surroundings, including water supply, sewage disposal, food
22 handling, and general hygiene, which shall ensure the health
23 and comfort of residents;

1 (4) Diet related to the needs of each resident based on
2 good nutritional practice and on recommendations which may be
3 made by the physicians attending the resident;

4 (5) Equipment essential to the health and welfare of the
5 residents;

6 (6) A program of habilitation and rehabilitation for those
7 residents who would benefit from such programs;

8 (7) A program for adequate maintenance of physical plant
9 and equipment;

10 (8) Adequate accommodations, staff and services for the
11 number and types of residents for whom the facility is licensed
12 to care, including standards for temperature and relative
13 humidity within comfort zones determined by the Department
14 based upon a combination of air temperature, relative humidity
15 and air movement. Such standards shall also require facility
16 plans that provide for health and comfort of residents at
17 medical risk as determined by the attending physician whenever
18 the temperature and relative humidity are outside such comfort
19 zones established by the Department. The standards must include
20 a requirement that areas of a nursing home used by residents of
21 the nursing home be air conditioned and heated by means of
22 operable air-conditioning and heating equipment. The areas
23 subject to this air-conditioning and heating requirement
24 include, without limitation, bedrooms or common areas such as
25 sitting rooms, activity rooms, living rooms, community rooms,
26 and dining rooms. No later than July 1, 2008, the Department

1 shall submit a report to the General Assembly concerning the
2 impact of the changes made by this amendatory Act of the 95th
3 General Assembly;

4 (9) Development of evacuation and other appropriate safety
5 plans for use during weather, health, fire, physical plant,
6 environmental and national defense emergencies; and

7 (10) Maintenance of minimum financial or other resources
8 necessary to meet the standards established under this Section,
9 and to operate and conduct the facility in accordance with this
10 Act.

11 (Source: P.A. 83-1530.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.