



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB4927

Introduced 1/15/2010, by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

210 ILCS 45/2-213

Amends the Nursing Home Care Act. Provides that all persons seeking admission to a nursing facility shall be verbally screened for risk factors associated with hepatitis B, hepatitis C, and the Human Immunodeficiency Virus (HIV) according to guidelines established by the U.S. Centers for Disease Control and Prevention. Provides that persons who are identified as being at high risk for hepatitis B, hepatitis C, or HIV shall be offered an opportunity to undergo laboratory testing if they will be admitted to the nursing facility for at least 7 days and are not known to be infected with any of the listed viruses. Provides that all HIV testing shall be conducted in compliance with the AIDS Confidentiality Act and that all persons determined to be susceptible to the hepatitis B virus shall be offered immunization upon admission to any nursing facility. Requires nursing facilities to document a resident's screening for risk factors associated with hepatitis B, hepatitis C, and HIV, and whether or not the resident was immunized against hepatitis B. Effective January 1, 2011.

LRB096 17755 KTG 33121 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

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 2-213 as follows:

6 (210 ILCS 45/2-213)

7 Sec. 2-213. Vaccinations.

8 (a) A facility shall annually administer or arrange for  
9 administration of a vaccination against influenza to each  
10 resident, in accordance with the recommendations of the  
11 Advisory Committee on Immunization Practices of the Centers for  
12 Disease Control and Prevention that are most recent to the time  
13 of vaccination, unless the vaccination is medically  
14 contraindicated or the resident has refused the vaccine.  
15 Influenza vaccinations for all residents age 65 and over shall  
16 be completed by November 30 of each year or as soon as  
17 practicable if vaccine supplies are not available before  
18 November 1. Residents admitted after November 30, during the  
19 flu season, and until February 1 shall, as medically  
20 appropriate, receive an influenza vaccination prior to or upon  
21 admission or as soon as practicable if vaccine supplies are not  
22 available at the time of the admission, unless the vaccine is  
23 medically contraindicated or the resident has refused the

1 vaccine. In the event that the Advisory Committee on  
2 Immunization Practices of the Centers for Disease Control and  
3 Prevention determines that dates of administration other than  
4 those stated in this Act are optimal to protect the health of  
5 residents, the Department is authorized to develop rules to  
6 mandate vaccinations at those times rather than the times  
7 stated in this Act. A facility shall document in the resident's  
8 medical record that an annual vaccination against influenza was  
9 administered, arranged, refused or medically contraindicated.

10 (b) A facility shall administer or arrange for  
11 administration of a pneumococcal vaccination to each resident  
12 who is age 65 and over, in accordance with the recommendations  
13 of the Advisory Committee on Immunization Practices of the  
14 Centers for Disease Control and Prevention, who has not  
15 received this immunization prior to or upon admission to the  
16 facility, unless the resident refuses the offer for vaccination  
17 or the vaccination is medically contraindicated. A facility  
18 shall document in each resident's medical record that a  
19 vaccination against pneumococcal pneumonia was offered and  
20 administered, arranged, refused, or medically contraindicated.

21 (c) All persons seeking admission to a nursing facility  
22 shall be verbally screened for risk factors associated with  
23 hepatitis B, hepatitis C, and the Human Immunodeficiency Virus  
24 (HIV) according to guidelines established by the U.S. Centers  
25 for Disease Control and Prevention. Persons who are identified  
26 as being at high risk for hepatitis B, hepatitis C, or HIV

1 shall be offered an opportunity to undergo laboratory testing  
2 in order to determine infection status if they will be admitted  
3 to the nursing facility for at least 7 days and are not known  
4 to be infected with any of the listed viruses. All HIV testing  
5 shall be conducted in compliance with the AIDS Confidentiality  
6 Act. All persons determined to be susceptible to the hepatitis  
7 B virus shall be offered immunization upon admission to any  
8 nursing facility. A facility shall document in the resident's  
9 medical record that he or she was verbally screened for risk  
10 factors associated with hepatitis B, hepatitis C, and HIV, and  
11 whether or not the resident was immunized against hepatitis B.

12 (Source: P.A. 93-384, eff. 7-25-03; 94-429, eff. 8-2-05.)

13 Section 99. Effective date. This Act takes effect January  
14 1, 2011.