



Sen. James F. Clayborne, Jr.

**Filed: 4/19/2010**

09600HB5998sam001

LRB096 18382 KTG 40091 a

1 AMENDMENT TO HOUSE BILL 5998

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5998 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Assisted Living and Shared Housing Act is  
5 amended by changing Sections 10, 20, 30, and 110 as follows:

6 (210 ILCS 9/10)

7 (Text of Section before amendment by P.A. 96-339)

8 Sec. 10. Definitions. For purposes of this Act:

9 "Activities of daily living" means eating, dressing,  
10 bathing, toileting, transferring, or personal hygiene.

11 ~~"Advisory Board" means the Assisted Living and Shared~~  
12 ~~Housing Standards and Quality of Life Advisory Board.~~

13 "Assisted living establishment" or "establishment" means a  
14 home, building, residence, or any other place where sleeping  
15 accommodations are provided for at least 3 unrelated adults, at  
16 least 80% of whom are 55 years of age or older and where the

1 following are provided consistent with the purposes of this  
2 Act:

3 (1) services consistent with a social model that is  
4 based on the premise that the resident's unit in assisted  
5 living and shared housing is his or her own home;

6 (2) community-based residential care for persons who  
7 need assistance with activities of daily living, including  
8 personal, supportive, and intermittent health-related  
9 services available 24 hours per day, if needed, to meet the  
10 scheduled and unscheduled needs of a resident;

11 (3) mandatory services, whether provided directly by  
12 the establishment or by another entity arranged for by the  
13 establishment, with the consent of the resident or  
14 resident's representative; and

15 (4) a physical environment that is a homelike setting  
16 that includes the following and such other elements as  
17 established by the Department ~~in conjunction with the~~  
18 ~~Assisted Living and Shared Housing Standards and Quality of~~  
19 ~~Life Advisory Board~~: individual living units each of which  
20 shall accommodate small kitchen appliances and contain  
21 private bathing, washing, and toilet facilities, or  
22 private washing and toilet facilities with a common bathing  
23 room readily accessible to each resident. Units shall be  
24 maintained for single occupancy except in cases in which 2  
25 residents choose to share a unit. Sufficient common space  
26 shall exist to permit individual and group activities.

1 "Assisted living establishment" or "establishment" does  
2 not mean any of the following:

3 (1) A home, institution, or similar place operated by  
4 the federal government or the State of Illinois.

5 (2) A long term care facility licensed under the  
6 Nursing Home Care Act. However, a long term care facility  
7 may convert distinct parts of the facility to assisted  
8 living. If the long term care facility elects to do so, the  
9 facility shall retain the Certificate of Need for its  
10 nursing and sheltered care beds that were converted.

11 (3) A hospital, sanitarium, or other institution, the  
12 principal activity or business of which is the diagnosis,  
13 care, and treatment of human illness and that is required  
14 to be licensed under the Hospital Licensing Act.

15 (4) A facility for child care as defined in the Child  
16 Care Act of 1969.

17 (5) A community living facility as defined in the  
18 Community Living Facilities Licensing Act.

19 (6) A nursing home or sanitarium operated solely by and  
20 for persons who rely exclusively upon treatment by  
21 spiritual means through prayer in accordance with the creed  
22 or tenants of a well-recognized church or religious  
23 denomination.

24 (7) A facility licensed by the Department of Human  
25 Services as a community-integrated living arrangement as  
26 defined in the Community-Integrated Living Arrangements

1 Licensure and Certification Act.

2 (8) A supportive residence licensed under the  
3 Supportive Residences Licensing Act.

4 (9) The portion of a life care facility as defined in  
5 the Life Care Facilities Act not licensed as an assisted  
6 living establishment under this Act; a life care facility  
7 may apply under this Act to convert sections of the  
8 community to assisted living.

9 (10) A free-standing hospice facility licensed under  
10 the Hospice Program Licensing Act.

11 (11) A shared housing establishment.

12 (12) A supportive living facility as described in  
13 Section 5-5.01a of the Illinois Public Aid Code.

14 "Department" means the Department of Public Health.

15 "Director" means the Director of Public Health.

16 "Emergency situation" means imminent danger of death or  
17 serious physical harm to a resident of an establishment.

18 "License" means any of the following types of licenses  
19 issued to an applicant or licensee by the Department:

20 (1) "Probationary license" means a license issued to an  
21 applicant or licensee that has not held a license under  
22 this Act prior to its application or pursuant to a license  
23 transfer in accordance with Section 50 of this Act.

24 (2) "Regular license" means a license issued by the  
25 Department to an applicant or licensee that is in  
26 substantial compliance with this Act and any rules

1 promulgated under this Act.

2 "Licensee" means a person, agency, association,  
3 corporation, partnership, or organization that has been issued  
4 a license to operate an assisted living or shared housing  
5 establishment.

6 "Licensed health care professional" means a registered  
7 professional nurse, an advanced practice nurse, a physician  
8 assistant, and a licensed practical nurse.

9 "Mandatory services" include the following:

10 (1) 3 meals per day available to the residents prepared  
11 by the establishment or an outside contractor;

12 (2) housekeeping services including, but not limited  
13 to, vacuuming, dusting, and cleaning the resident's unit;

14 (3) personal laundry and linen services available to  
15 the residents provided or arranged for by the  
16 establishment;

17 (4) security provided 24 hours each day including, but  
18 not limited to, locked entrances or building or contract  
19 security personnel;

20 (5) an emergency communication response system, which  
21 is a procedure in place 24 hours each day by which a  
22 resident can notify building management, an emergency  
23 response vendor, or others able to respond to his or her  
24 need for assistance; and

25 (6) assistance with activities of daily living as  
26 required by each resident.

1 "Negotiated risk" is the process by which a resident, or  
2 his or her representative, may formally negotiate with  
3 providers what risks each are willing and unwilling to assume  
4 in service provision and the resident's living environment. The  
5 provider assures that the resident and the resident's  
6 representative, if any, are informed of the risks of these  
7 decisions and of the potential consequences of assuming these  
8 risks.

9 "Owner" means the individual, partnership, corporation,  
10 association, or other person who owns an assisted living or  
11 shared housing establishment. In the event an assisted living  
12 or shared housing establishment is operated by a person who  
13 leases or manages the physical plant, which is owned by another  
14 person, "owner" means the person who operates the assisted  
15 living or shared housing establishment, except that if the  
16 person who owns the physical plant is an affiliate of the  
17 person who operates the assisted living or shared housing  
18 establishment and has significant control over the day to day  
19 operations of the assisted living or shared housing  
20 establishment, the person who owns the physical plant shall  
21 incur jointly and severally with the owner all liabilities  
22 imposed on an owner under this Act.

23 "Physician" means a person licensed under the Medical  
24 Practice Act of 1987 to practice medicine in all of its  
25 branches.

26 "Resident" means a person residing in an assisted living or

1 shared housing establishment.

2 "Resident's representative" means a person, other than the  
3 owner, agent, or employee of an establishment or of the health  
4 care provider unless related to the resident, designated in  
5 writing by a resident to be his or her representative. This  
6 designation may be accomplished through the Illinois Power of  
7 Attorney Act, pursuant to the guardianship process under the  
8 Probate Act of 1975, or pursuant to an executed designation of  
9 representative form specified by the Department.

10 "Self" means the individual or the individual's designated  
11 representative.

12 "Shared housing establishment" or "establishment" means a  
13 publicly or privately operated free-standing residence for 16  
14 or fewer persons, at least 80% of whom are 55 years of age or  
15 older and who are unrelated to the owners and one manager of  
16 the residence, where the following are provided:

17 (1) services consistent with a social model that is  
18 based on the premise that the resident's unit is his or her  
19 own home;

20 (2) community-based residential care for persons who  
21 need assistance with activities of daily living, including  
22 housing and personal, supportive, and intermittent  
23 health-related services available 24 hours per day, if  
24 needed, to meet the scheduled and unscheduled needs of a  
25 resident; and

26 (3) mandatory services, whether provided directly by

1 the establishment or by another entity arranged for by the  
2 establishment, with the consent of the resident or the  
3 resident's representative.

4 "Shared housing establishment" or "establishment" does not  
5 mean any of the following:

6 (1) A home, institution, or similar place operated by  
7 the federal government or the State of Illinois.

8 (2) A long term care facility licensed under the  
9 Nursing Home Care Act. A long term care facility may,  
10 however, convert sections of the facility to assisted  
11 living. If the long term care facility elects to do so, the  
12 facility shall retain the Certificate of Need for its  
13 nursing beds that were converted.

14 (3) A hospital, sanitarium, or other institution, the  
15 principal activity or business of which is the diagnosis,  
16 care, and treatment of human illness and that is required  
17 to be licensed under the Hospital Licensing Act.

18 (4) A facility for child care as defined in the Child  
19 Care Act of 1969.

20 (5) A community living facility as defined in the  
21 Community Living Facilities Licensing Act.

22 (6) A nursing home or sanitarium operated solely by and  
23 for persons who rely exclusively upon treatment by  
24 spiritual means through prayer in accordance with the creed  
25 or tenants of a well-recognized church or religious  
26 denomination.



1           (7) A facility licensed by the Department of Human  
2 Services as a community-integrated living arrangement as  
3 defined in the Community-Integrated Living Arrangements  
4 Licensure and Certification Act.

5           (8) A supportive residence licensed under the  
6 Supportive Residences Licensing Act.

7           (9) A life care facility as defined in the Life Care  
8 Facilities Act; a life care facility may apply under this  
9 Act to convert sections of the community to assisted  
10 living.

11           (10) A free-standing hospice facility licensed under  
12 the Hospice Program Licensing Act.

13           (11) An assisted living establishment.

14           (12) A supportive living facility as described in  
15 Section 5-5.01a of the Illinois Public Aid Code.

16           "Total assistance" means that staff or another individual  
17 performs the entire activity of daily living without  
18 participation by the resident.

19           (Source: P.A. 95-216, eff. 8-16-07.)

20           (Text of Section after amendment by P.A. 96-339)

21           Sec. 10. Definitions. For purposes of this Act:

22           "Activities of daily living" means eating, dressing,  
23 bathing, toileting, transferring, or personal hygiene.

24           ~~"Advisory Board" means the Assisted Living and Shared~~  
25 ~~Housing Standards and Quality of Life Advisory Board.~~

1 "Assisted living establishment" or "establishment" means a  
2 home, building, residence, or any other place where sleeping  
3 accommodations are provided for at least 3 unrelated adults, at  
4 least 80% of whom are 55 years of age or older and where the  
5 following are provided consistent with the purposes of this  
6 Act:

7 (1) services consistent with a social model that is  
8 based on the premise that the resident's unit in assisted  
9 living and shared housing is his or her own home;

10 (2) community-based residential care for persons who  
11 need assistance with activities of daily living, including  
12 personal, supportive, and intermittent health-related  
13 services available 24 hours per day, if needed, to meet the  
14 scheduled and unscheduled needs of a resident;

15 (3) mandatory services, whether provided directly by  
16 the establishment or by another entity arranged for by the  
17 establishment, with the consent of the resident or  
18 resident's representative; and

19 (4) a physical environment that is a homelike setting  
20 that includes the following and such other elements as  
21 established by the Department ~~in conjunction with the~~  
22 ~~Assisted Living and Shared Housing Standards and Quality of~~  
23 ~~Life Advisory Board~~: individual living units each of which  
24 shall accommodate small kitchen appliances and contain  
25 private bathing, washing, and toilet facilities, or  
26 private washing and toilet facilities with a common bathing

1 room readily accessible to each resident. Units shall be  
2 maintained for single occupancy except in cases in which 2  
3 residents choose to share a unit. Sufficient common space  
4 shall exist to permit individual and group activities.

5 "Assisted living establishment" or "establishment" does  
6 not mean any of the following:

7 (1) A home, institution, or similar place operated by  
8 the federal government or the State of Illinois.

9 (2) A long term care facility licensed under the  
10 Nursing Home Care Act or a facility licensed under the  
11 MR/DD Community Care Act. However, a facility licensed  
12 under either of those Acts may convert distinct parts of  
13 the facility to assisted living. If the facility elects to  
14 do so, the facility shall retain the Certificate of Need  
15 for its nursing and sheltered care beds that were  
16 converted.

17 (3) A hospital, sanitarium, or other institution, the  
18 principal activity or business of which is the diagnosis,  
19 care, and treatment of human illness and that is required  
20 to be licensed under the Hospital Licensing Act.

21 (4) A facility for child care as defined in the Child  
22 Care Act of 1969.

23 (5) A community living facility as defined in the  
24 Community Living Facilities Licensing Act.

25 (6) A nursing home or sanitarium operated solely by and  
26 for persons who rely exclusively upon treatment by

1 spiritual means through prayer in accordance with the creed  
2 or tenants of a well-recognized church or religious  
3 denomination.

4 (7) A facility licensed by the Department of Human  
5 Services as a community-integrated living arrangement as  
6 defined in the Community-Integrated Living Arrangements  
7 Licensure and Certification Act.

8 (8) A supportive residence licensed under the  
9 Supportive Residences Licensing Act.

10 (9) The portion of a life care facility as defined in  
11 the Life Care Facilities Act not licensed as an assisted  
12 living establishment under this Act; a life care facility  
13 may apply under this Act to convert sections of the  
14 community to assisted living.

15 (10) A free-standing hospice facility licensed under  
16 the Hospice Program Licensing Act.

17 (11) A shared housing establishment.

18 (12) A supportive living facility as described in  
19 Section 5-5.01a of the Illinois Public Aid Code.

20 "Department" means the Department of Public Health.

21 "Director" means the Director of Public Health.

22 "Emergency situation" means imminent danger of death or  
23 serious physical harm to a resident of an establishment.

24 "License" means any of the following types of licenses  
25 issued to an applicant or licensee by the Department:

26 (1) "Probationary license" means a license issued to an

1 applicant or licensee that has not held a license under  
2 this Act prior to its application or pursuant to a license  
3 transfer in accordance with Section 50 of this Act.

4 (2) "Regular license" means a license issued by the  
5 Department to an applicant or licensee that is in  
6 substantial compliance with this Act and any rules  
7 promulgated under this Act.

8 "Licensee" means a person, agency, association,  
9 corporation, partnership, or organization that has been issued  
10 a license to operate an assisted living or shared housing  
11 establishment.

12 "Licensed health care professional" means a registered  
13 professional nurse, an advanced practice nurse, a physician  
14 assistant, and a licensed practical nurse.

15 "Mandatory services" include the following:

16 (1) 3 meals per day available to the residents prepared  
17 by the establishment or an outside contractor;

18 (2) housekeeping services including, but not limited  
19 to, vacuuming, dusting, and cleaning the resident's unit;

20 (3) personal laundry and linen services available to  
21 the residents provided or arranged for by the  
22 establishment;

23 (4) security provided 24 hours each day including, but  
24 not limited to, locked entrances or building or contract  
25 security personnel;

26 (5) an emergency communication response system, which

1 is a procedure in place 24 hours each day by which a  
2 resident can notify building management, an emergency  
3 response vendor, or others able to respond to his or her  
4 need for assistance; and

5 (6) assistance with activities of daily living as  
6 required by each resident.

7 "Negotiated risk" is the process by which a resident, or  
8 his or her representative, may formally negotiate with  
9 providers what risks each are willing and unwilling to assume  
10 in service provision and the resident's living environment. The  
11 provider assures that the resident and the resident's  
12 representative, if any, are informed of the risks of these  
13 decisions and of the potential consequences of assuming these  
14 risks.

15 "Owner" means the individual, partnership, corporation,  
16 association, or other person who owns an assisted living or  
17 shared housing establishment. In the event an assisted living  
18 or shared housing establishment is operated by a person who  
19 leases or manages the physical plant, which is owned by another  
20 person, "owner" means the person who operates the assisted  
21 living or shared housing establishment, except that if the  
22 person who owns the physical plant is an affiliate of the  
23 person who operates the assisted living or shared housing  
24 establishment and has significant control over the day to day  
25 operations of the assisted living or shared housing  
26 establishment, the person who owns the physical plant shall

1 incur jointly and severally with the owner all liabilities  
2 imposed on an owner under this Act.

3 "Physician" means a person licensed under the Medical  
4 Practice Act of 1987 to practice medicine in all of its  
5 branches.

6 "Resident" means a person residing in an assisted living or  
7 shared housing establishment.

8 "Resident's representative" means a person, other than the  
9 owner, agent, or employee of an establishment or of the health  
10 care provider unless related to the resident, designated in  
11 writing by a resident to be his or her representative. This  
12 designation may be accomplished through the Illinois Power of  
13 Attorney Act, pursuant to the guardianship process under the  
14 Probate Act of 1975, or pursuant to an executed designation of  
15 representative form specified by the Department.

16 "Self" means the individual or the individual's designated  
17 representative.

18 "Shared housing establishment" or "establishment" means a  
19 publicly or privately operated free-standing residence for 16  
20 or fewer persons, at least 80% of whom are 55 years of age or  
21 older and who are unrelated to the owners and one manager of  
22 the residence, where the following are provided:

23 (1) services consistent with a social model that is  
24 based on the premise that the resident's unit is his or her  
25 own home;

26 (2) community-based residential care for persons who

1           need assistance with activities of daily living, including  
2           housing and personal, supportive, and intermittent  
3           health-related services available 24 hours per day, if  
4           needed, to meet the scheduled and unscheduled needs of a  
5           resident; and

6           (3) mandatory services, whether provided directly by  
7           the establishment or by another entity arranged for by the  
8           establishment, with the consent of the resident or the  
9           resident's representative.

10          "Shared housing establishment" or "establishment" does not  
11          mean any of the following:

12           (1) A home, institution, or similar place operated by  
13           the federal government or the State of Illinois.

14           (2) A long term care facility licensed under the  
15           Nursing Home Care Act or a facility licensed under the  
16           MR/DD Community Care Act. A facility licensed under either  
17           of those Acts may, however, convert sections of the  
18           facility to assisted living. If the facility elects to do  
19           so, the facility shall retain the Certificate of Need for  
20           its nursing beds that were converted.

21           (3) A hospital, sanitarium, or other institution, the  
22           principal activity or business of which is the diagnosis,  
23           care, and treatment of human illness and that is required  
24           to be licensed under the Hospital Licensing Act.

25           (4) A facility for child care as defined in the Child  
26           Care Act of 1969.



1           (5) A community living facility as defined in the  
2 Community Living Facilities Licensing Act.

3           (6) A nursing home or sanitarium operated solely by and  
4 for persons who rely exclusively upon treatment by  
5 spiritual means through prayer in accordance with the creed  
6 or tenants of a well-recognized church or religious  
7 denomination.

8           (7) A facility licensed by the Department of Human  
9 Services as a community-integrated living arrangement as  
10 defined in the Community-Integrated Living Arrangements  
11 Licensure and Certification Act.

12           (8) A supportive residence licensed under the  
13 Supportive Residences Licensing Act.

14           (9) A life care facility as defined in the Life Care  
15 Facilities Act; a life care facility may apply under this  
16 Act to convert sections of the community to assisted  
17 living.

18           (10) A free-standing hospice facility licensed under  
19 the Hospice Program Licensing Act.

20           (11) An assisted living establishment.

21           (12) A supportive living facility as described in  
22 Section 5-5.01a of the Illinois Public Aid Code.

23           "Total assistance" means that staff or another individual  
24 performs the entire activity of daily living without  
25 participation by the resident.

26           (Source: P.A. 95-216, eff. 8-16-07; 96-339, eff. 7-1-10.)

1 (210 ILCS 9/20)

2 Sec. 20. Construction and operating standards. The  
3 Department, ~~in consultation with the Advisory Board,~~ shall  
4 prescribe minimum standards for establishments. These  
5 standards shall include:

6 (1) the location and construction of the  
7 establishment, including plumbing, heating, lighting,  
8 ventilation, and other physical conditions which shall  
9 ensure the health, safety, and comfort of residents and  
10 their protection from fire hazards; these standards shall  
11 include, at a minimum, compliance with the residential  
12 board and care occupancies chapter of the National Fire  
13 Protection Association's Life Safety Code, local and State  
14 building codes for the building type, and accessibility  
15 standards of the Americans with Disabilities Act;

16 (2) the number and qualifications of all personnel  
17 having responsibility for any part of the services provided  
18 for residents;

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

24 (4) a program for adequate maintenance of physical  
25 plant and equipment;

1           (5) adequate accommodations, staff, and services for  
2           the number and types of residents for whom the  
3           establishment is licensed;

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

8           (7) the maintenance of minimum financial and other  
9           resources necessary to meet the standards established  
10          under this Section and to operate the establishment in  
11          accordance with this Act.

12         (Source: P.A. 91-656, eff. 1-1-01.)

13           (210 ILCS 9/30)

14           Sec. 30. Licensing.

15           (a) The Department, ~~in consultation with the Advisory~~  
16           ~~Board,~~ shall establish by rule forms, procedures, and fees for  
17           the annual licensing of assisted living and shared housing  
18           establishments; shall establish and enforce sanctions and  
19           penalties for operating in violation of this Act, as provided  
20           in Section 135 of this Act and rules adopted under Section 110  
21           of this Act. The Department shall conduct an annual on-site  
22           review for each establishment covered by this Act, which shall  
23           include, but not be limited to, compliance with this Act and  
24           rules adopted hereunder, focus on solving resident issues and  
25           concerns, and the quality improvement process implemented by

1 the establishment to address resident issues. The quality  
2 improvement process implemented by the establishment must  
3 benchmark performance, be customer centered, be data driven,  
4 and focus on resident satisfaction.

5 (b) An establishment shall provide the following  
6 information to the Department to be considered for licensure:

7 (1) the business name, street address, mailing  
8 address, and telephone number of the establishment;

9 (2) the name and mailing address of the owner or owners  
10 of the establishment and if the owner or owners are not  
11 natural persons, identification of the type of business  
12 entity of the owners, and the names and addresses of the  
13 officers and members of the governing body, or comparable  
14 persons for partnerships, limited liability companies, or  
15 other types of business organizations;

16 (3) financial information, content and form to be  
17 determined by rules which may provide different standards  
18 for assisted living establishments and shared housing  
19 establishments, establishing that the project is  
20 financially feasible;

21 (4) the name and mailing address of the managing agent  
22 of the establishment, whether hired under a management  
23 agreement or lease agreement, if different from the owner  
24 or owners, and the name of the full-time director;

25 (5) verification that the establishment has entered or  
26 will enter into a service delivery contract as provided in

1 Section 90, as required under this Act, with each resident  
2 or resident's representative;

3 (6) the name and address of at least one natural person  
4 who shall be responsible for dealing with the Department on  
5 all matters provided for in this Act, on whom personal  
6 service of all notices and orders shall be made, and who  
7 shall be authorized to accept service on behalf of the  
8 owner or owners and the managing agent. Notwithstanding a  
9 contrary provision of the Code of Civil Procedure, personal  
10 service on the person identified pursuant to this  
11 subsection shall be considered service on the owner or  
12 owners and the managing agent, and it shall not be a  
13 defense to any action that personal service was not made on  
14 each individual or entity;

15 (7) the signature of the authorized representative of  
16 the owner or owners;

17 (8) proof of an ongoing quality improvement program in  
18 accordance with rules adopted by the Department ~~in~~  
19 ~~collaboration with the Advisory Board;~~

20 (9) information about the number and types of units,  
21 the maximum census, and the services to be provided at the  
22 establishment, proof of compliance with applicable State  
23 and local residential standards, and a copy of the standard  
24 contract offered to residents;

25 (10) documentation of adequate liability insurance;  
26 and

1           (11) other information necessary to determine the  
2           identity and qualifications of an applicant or licensee to  
3           operate an establishment in accordance with this Act as  
4           required by the Department by rule.

5           (c) The information in the statement of ownership shall be  
6           public information and shall be available from the Department.

7           (Source: P.A. 91-656, eff. 1-1-01.)

8           (210 ILCS 9/110)

9           Sec. 110. Powers and duties of the Department.

10          (a) The Department shall conduct an annual unannounced  
11          on-site visit at each assisted living and shared housing  
12          establishment to determine compliance with applicable  
13          licensure requirements and standards. Additional visits may be  
14          conducted without prior notice to the assisted living or shared  
15          housing establishment.

16          (b) Upon receipt of information that may indicate the  
17          failure of the assisted living or shared housing establishment  
18          or a service provider to comply with a provision of this Act,  
19          the Department shall investigate the matter or make appropriate  
20          referrals to other government agencies and entities having  
21          jurisdiction over the subject matter of the possible violation.  
22          The Department may also make referrals to any public or private  
23          agency that the Department considers available for appropriate  
24          assistance to those involved. The Department may oversee and  
25          coordinate the enforcement of State consumer protection

1 policies affecting residents residing in an establishment  
2 licensed under this Act.

3 (c) The Department shall establish by rule complaint  
4 receipt, investigation, resolution, and involuntary residency  
5 termination procedures. Resolution procedures shall provide  
6 for on-site review and evaluation of an assisted living or  
7 shared housing establishment found to be in violation of this  
8 Act within a specified period of time based on the gravity and  
9 severity of the violation and any pervasive pattern of  
10 occurrences of the same or similar violations.

11 (d) (Blank). ~~The Governor shall establish an Assisted  
12 Living and Shared Housing Standards and Quality of Life  
13 Advisory Board.~~

14 (e) The Department shall by rule establish penalties and  
15 sanctions, which shall include, but need not be limited to, the  
16 creation of a schedule of graduated penalties and sanctions to  
17 include closure.

18 (f) The Department shall by rule establish procedures for  
19 disclosure of information to the public, which shall include,  
20 but not be limited to, ownership, licensure status, frequency  
21 of complaints, disposition of substantiated complaints, and  
22 disciplinary actions.

23 (g) (Blank).

24 (h) Beginning January 1, 2000, the Department shall begin  
25 drafting rules necessary for the administration of this Act.

26 (Source: P.A. 93-1003, eff. 8-23-04.)

1 (210 ILCS 9/125 rep.)

2 Section 10. The Assisted Living and Shared Housing Act is  
3 amended by repealing Section 125.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.".