



Rep. Lou Lang

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LRB097 09338 AMC 56330 a

1 AMENDMENT TO SENATE BILL 2147

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2147 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Home Care Act is amended by  
5 changing Section 3-202.05 as follows:

6 (210 ILCS 45/3-202.05)

7 Sec. 3-202.05. Staffing ratios effective July 1, 2010 and  
8 thereafter.

9 (a) For the purpose of computing staff to resident ratios,  
10 direct care staff shall include:

- 11 (1) registered nurses;
- 12 (2) licensed practical nurses;
- 13 (3) certified nurse assistants;
- 14 (4) psychiatric services rehabilitation aides;
- 15 (5) rehabilitation and therapy aides;
- 16 (6) psychiatric services rehabilitation coordinators;

1 (7) assistant directors of nursing;

2 (8) 50% of the Director of Nurses' time; and

3 (9) 30% of the Social Services Directors' time.

4 The Department shall, by rule, allow certain facilities  
5 subject to 77 Ill. Admin. Code 300.4000 and following (Subpart  
6 S) and 300.6000 and following (Subpart T) to utilize  
7 specialized clinical staff, as defined in rules, to count  
8 towards the staffing ratios.

9 (b) Beginning January 1, 2011, and thereafter, light  
10 intermediate care shall be staffed at the same staffing ratio  
11 as intermediate care.

12 (c) Facilities shall notify the Department within 60 days  
13 after the effective date of this amendatory Act of the 96th  
14 General Assembly, in a form and manner prescribed by the  
15 Department, of the staffing ratios in effect on the effective  
16 date of this amendatory Act of the 96th General Assembly for  
17 both intermediate and skilled care and the number of residents  
18 receiving each level of care.

19 (d) (1) Effective July 1, 2010, for each resident needing  
20 skilled care, a minimum staffing ratio of 2.5 hours of nursing  
21 and personal care each day must be provided; for each resident  
22 needing intermediate care, 1.7 hours of nursing and personal  
23 care each day must be provided.

24 (2) Effective January 1, 2011, the minimum staffing ratios  
25 shall be increased to 2.7 hours of nursing and personal care  
26 each day for a resident needing skilled care and 1.9 hours of

1 nursing and personal care each day for a resident needing  
2 intermediate care.

3 (3) Effective January 1, 2012, the minimum staffing ratios  
4 shall be increased to 3.0 hours of nursing and personal care  
5 each day for a resident needing skilled care and 2.1 hours of  
6 nursing and personal care each day for a resident needing  
7 intermediate care.

8 (4) Effective January 1, 2013, the minimum staffing ratios  
9 shall be increased to 3.4 hours of nursing and personal care  
10 each day for a resident needing skilled care and 2.3 hours of  
11 nursing and personal care each day for a resident needing  
12 intermediate care.

13 (5) Effective January 1, 2014, the minimum staffing ratios  
14 shall be increased to 3.8 hours of nursing and personal care  
15 each day for a resident needing skilled care and 2.5 hours of  
16 nursing and personal care each day for a resident needing  
17 intermediate care.

18 (e) Staffing increases contained in paragraphs (3), (4),  
19 and (5) of subsection (d) shall be delayed for one year after  
20 the effective dates stated in the paragraphs, unless (i) the  
21 federal Centers for Medicare & Medicaid Services reviews and  
22 approves an appropriate State plan amendment containing the  
23 methodologies contained in Section 5-5.4 of the Illinois Public  
24 Aid Code and determines that the assessment imposed by Section  
25 5B-2 of the Illinois Public Aid Code is a permissible tax under  
26 Title XIX of the Social Security Act or (ii) the State of

1 Illinois identifies an alternative funding source, in which  
2 case the effective dates shall not be delayed.

3 (Source: P.A. 96-1372, eff. 7-29-10; 96-1504, eff. 1-27-11.)

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