



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2968

Introduced 2/4/2014, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-423

from Ch. 111 1/2, par. 4153-423

Amends the Nursing Home Care Act. Provides that if a facility is closing, the administrator (rather than owner) of the facility shall give 60 days (rather than 90 days) notice of the closing to the residents of the facility, to the resident's representative, and to other specified entities. Requires the administrator of the facility to provide notice of the closure to the Office of State Long Term Care Ombudsman. Provides that if the facility is closing because the Department of Public Health suspended, revoked, or denied renewal of the facility's license, then the administrator of the facility must provide notice no later than the date specified by the Department. Requires a facility to submit a closure plan to the Department for approval that addresses the safe and orderly transfer of residents. Provides that if a facility is closing in its entirety, then the facility shall not admit any new residents on or after the date notice is given to the Department. Effective immediately.

LRB098 16948 RPS 52023 b

FISCAL NOTE ACT
MAY APPLY

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 3-423 as follows:

6 (210 ILCS 45/3-423) (from Ch. 111 1/2, par. 4153-423)

7 Sec. 3-423. The administrator ~~Any owner~~ of a facility
8 licensed under this Act shall give 60 ~~90~~ days notice prior to
9 voluntarily closing a facility or closing any part of a
10 facility, or prior to closing any part of a facility if closing
11 such part will require the transfer or discharge of more than
12 10% of the residents. Such notice shall be given to the
13 Department, to the Office of State Long Term Care Ombudsman, to
14 any resident who must be transferred or discharged, to the
15 resident's representative, and to a member of the resident's
16 family, where practicable. If the Department suspends,
17 revokes, or denies renewal of the facility's license, then
18 notice shall be given no later than the date specified by the
19 Department. Notice shall state the proposed date of closing and
20 the reason for closing. The facility shall submit a closure
21 plan to the Department for approval which shall address the
22 process for the safe and orderly transfer of residents. The
23 facility shall offer to assist the resident in securing an

1 alternative placement and shall advise the resident on
2 available alternatives. Where the resident is unable to choose
3 an alternate placement and is not under guardianship, the
4 Department shall be notified of the need for relocation
5 assistance. A facility closing in its entirety shall not admit
6 any new residents on or after the date written notice is
7 submitted to the Department under this Section. The facility
8 shall comply with all applicable laws and regulations until the
9 date of closing, including those related to transfer or
10 discharge of residents. The Department may place a relocation
11 team in the facility as provided under Section 3-419.

12 (Source: P.A. 81-223.)

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