92\_HB3540ham001

## LRB9205951ACsbam

- 1 AMENDMENT TO HOUSE BILL 3540
- 2 AMENDMENT NO. \_\_\_\_. Amend House Bill 3540 by replacing
- 3 everything after the enacting clause with the following:
- 4 "Section 5. The Abused and Neglected Long Term Care
- 5 Facility Residents Reporting Act is amended by changing
- 6 Section 3 as follows:
- 7 (210 ILCS 30/3) (from Ch. 111 1/2, par. 4163)
- 8 Sec. 3. <u>Definitions.</u> As used in this Act unless the
- 9 context otherwise requires:
- 10 a. "Department" means the Department of Public Health of
- 11 the State of Illinois.
- b. "Resident" means a person residing in and receiving
- 13 personal care from a long term care facility, or residing in
- 14 a mental health facility or developmental disability facility
- 15 as defined in the Mental Health and Developmental
- 16 Disabilities Code.
- 17 c. "Long term care facility" has the same meaning
- 18 ascribed to such term in the Nursing Home Care Act, except
- 19 that the term as used in this Act shall include any mental
- 20 health facility or developmental disability facility as
- 21 defined in the Mental Health and Developmental Disabilities
- 22 Code.

- d. "Abuse" means any physical injury, sexual abuse or
- 2 mental injury inflicted on a resident other than by
- 3 accidental means.
- 4 e. "Neglect" means a failure in a long term care
- 5 facility to provide adequate medical or personal care or
- 6 maintenance, which failure results in physical or mental
- 7 injury to a resident or in the deterioration of a resident's
- 8 physical or mental condition.
- 9 f. "Protective services" means services provided to a
- 10 resident who has been abused or neglected, which may include,
- 11 but are not limited to alternative temporary institutional
- 12 placement, nursing care, counseling, other social services
- 13 provided at the nursing home where the resident resides or at
- 14 some other facility, personal care and such protective
- services of voluntary agencies as are available.
- 16 g. Unless the context otherwise requires, direct or
- indirect references in this Act to the programs, personnel,
- 18 facilities, services, service providers, or service
- 19 recipients of the Department of Human Services shall be
- 20 construed to refer only to those programs, personnel,
- 21 facilities, services, service providers, or service
- 22 recipients that pertain to the Department of Human Services'
- 23 mental health and developmental disabilities functions.
- 24 (Source: P.A. 89-507, eff. 7-1-97.)".