

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Authorized Electronic Monitoring in Long-Term Care Facilities Act is amended by changing Sections 5 and 10 as follows:

(210 ILCS 32/5)

Sec. 5. Definitions. As used in this Act:

"Authorized electronic monitoring" means the placement and use of an electronic monitoring device by a resident in his or her room in accordance with this Act.

"Department" means the Department of Public Health.

"Electronic monitoring device" means a surveillance instrument with a fixed position video camera or an audio recording device, or a combination thereof, that is installed in a resident's room under the provisions of this Act and broadcasts or records activity or sounds occurring in the room.

"Facility" means an intermediate care facility for the developmentally disabled licensed under the ID/DD Community Care Act that has 30 beds or more, a facility licensed under the MC/DD Act, ~~or~~ a long-term care facility licensed under the Nursing Home Care Act, or a facility that provides housing to individuals with dementia, as defined in Section 3 of the

Alzheimer's Disease Assistance Act.

"Resident" means a person residing in a facility.

"Resident's representative" has the meaning given to that term in (1) Section 1-123 of the Nursing Home Care Act if the resident resides in a facility licensed under the Nursing Home Care Act, (2) Section 1-123 of the ID/DD Community Care Act if the resident resides in a facility licensed under the ID/DD Community Care Act, or (3) Section 1-123 of the MC/DD Act if the resident resides in a facility licensed under the MC/DD Act.

(Source: P.A. 99-430, eff. 1-1-16; 99-784, eff. 1-1-17.)

(210 ILCS 32/10)

Sec. 10. Authorized electronic monitoring.

(a) A resident shall be permitted to conduct authorized electronic monitoring of the resident's room through the use of electronic monitoring devices placed in the room pursuant to this Act.

(b) Nothing in this Act shall be construed to allow the use of an electronic monitoring device to take still photographs or for the nonconsensual interception of private communications.

(c) A facility that houses dementia residents may allow electronic monitoring devices only in rooms:

(1) that are located in a building that is entirely dedicated to dementia care; or

(2) that are located in a building wing that is solely

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dedicated to dementia care.

(Source: P.A. 99-430, eff. 1-1-16.)

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