



Support Senate Bill 326 (*Currie*) Nursing Home Reform

Senate Bill 326 improves the nursing home admission process, raises the standards of nursing home care and heightens security measures.

BACKGROUND

- Governor Pat Quinn convened the Nursing Home Safety Task Force following a series of reports chronicling issues of safety and sub-standard care in nursing homes. (See attached articles.)
- The findings and recommendations of the Nursing Home Safety Task Force's report fall into 3 broad categories: (1) enhance the pre-admission screening and background check process; (2) set and enforce higher standards of care; and (3) expand home and community-based residential and service options.

BILL PROPOSAL

- **ENHANCE THE PRE-ADMISSION SCREENING AND BACKGROUND CHECK PROCESS**
 - Requires facilities to develop and implement a comprehensive resident care plan.
 - Expands the pre-admission screening process.
 - Adds a re-screening component for all nursing home residents with serious mental illness.
 - Authorizes a risk of harm tool to identify those who may pose a risk of danger to others.
 - Initiates the criminal history background check before the patient arrives at a nursing home.
 - Establishes a pilot program to identify those residents who may pose a risk to others.
 - Mandates the Department of State Police notify local jurisdictions of outstanding warrants.
 - Permits nursing homes to admit a resident on a provisional basis.
- **SET AND ENFORCE HIGHER STANDARDS OF CARE**
 - Raises staffing ratio to 3.8 hours of skilled care and 2.5 hours of intermediate care over four years.
 - Requires nursing homes to obtain a psychiatric rehabilitation certificate of compliance before serving residents with serious mental illness.
 - Requires nursing homes to obtain a behavioral management unit certificate of compliance before serving residents who pose a risk of harm to others.
 - Establishes a new Type 'AA' penalty and significantly strengthens existing standards and penalties.
 - Doubles fines for violations of the newly created "high risk" standards.
 - Expands Public Health's authority to suspend, revoke or refuse to renew a facility's license.
 - Permits the denial of a certificate of need for designated violations such as insufficient staffing.
 - Creates the distressed long term care facility program to improve standards of care.
 - Provides whistleblower protections and mandates nursing home owners, insurance companies, state's attorneys and state agencies report misconduct on the part of nursing home administrators.
 - Doubles facility license fees to provide additional resources to Public Health for regulation.
 - Establishes a workgroup of advocates, providers, state agencies and the governor's office to: (1) develop a plan to raise additional revenue through a provider assessment; and (2) pay providers a Medicaid rate that reflects increased staffing standards and is based on the care needs of their residents. Work on the plan will begin immediately and must be submitted to the General Assembly by November 1, 2010.
- **EXPAND HOME AND COMMUNITY-BASED RESIDENTIAL AND SERVICE OPTIONS**
 - Provides for the development of a Community Transition Plan to allow residents to access or acquire resources to transition from a nursing home to the community.



LIST OF ORGANIZATIONS IN SUPPORT OF SB326 (IN FORMATION):

AARP
Barton Healthcare
Centers for Independent Living
Chicago Alliance to End Homelessness
Community Behavioral Healthcare
Community Renewal Society
Department on Aging
Department of Corrections
Department of Healthcare and Family Services
Department of Human Services
Department of Financial and Professional Regulation
Department of Public Health
Department of Veterans Affairs
Health and Disability Advocates
Health and Medicine Policy Research Group
Health Care Council of Illinois
Illinois Citizens for Better Care
Illinois Guardian and Advocacy Commission
Illinois Psychiatric Society
Illinois State Police
Jane Addams Senior Caucus
Life Services Network
Next Steps, NFP
Office of the Attorney General
SEIU Health Care Illinois/Indiana
Supportive Housing Providers Association