

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Illinois Veterans' Homes Code
- 2) Code Citation: 77 Ill. Adm. Code 340
- 3) Section Number: 340.1190 Adopted Action:
Amendment
- 4) Statutory Authority: Nursing Home Care Act [210 ILCS 45]
- 5) Effective Date of Rule:
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 41 Ill. Reg. 3787; March 31, 2017
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between proposal and final version: Various typographical, grammatical, and form changes were made in response to comments from JCAR.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking deletes the requirement for including social security numbers on application and renewal forms, and cleans up language to more closely reflect the language of the Nursing Home Care Act.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Elizabeth Paton
Assistant General Counsel

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Department of Public Health
Division of Legal Services
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761

(217)782-2043

e-mail: dph.rules@illinois.gov

The full text of the Adopted Amendment begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 340

ILLINOIS VETERANS' HOMES CODE

SUBPART A: GENERAL PROVISIONS

Section

340.1000	Definitions
340.1010	Incorporated and Referenced Materials
340.1110	General Requirements
340.1115	Federal Veterans' Regulations
340.1120	Application for License
340.1125	Alzheimer's Special Care Disclosure
340.1130	Criteria for Adverse Licensure Actions
340.1140	Denial of Initial License
340.1150	Revocation or Denial of Renewal of License
340.1160	Inspections, Surveys, Evaluations, and Consultations
340.1170	Presentation of Findings by the Department
340.1190	Ownership Disclosure
340.1200	Monitor and Receivership
340.1210	Determination of a Violation
340.1220	Determination of the Level of a Violation
340.1225	Administrative Warning
340.1230	Plans of Correction and Reports of Correction
340.1240	Calculation of Penalties (Repealed)
340.1245	Conditions for Assessment of Penalties
340.1250	Reduction or Waiver of Penalties
340.1255	Supported Congregate Living Arrangement Demonstration
340.1260	Waivers

SUBPART B: POLICIES AND FACILITY RECORDS

Section

340.1300	Facility Policies
340.1305	Request for Resident Criminal History Record Information
340.1310	Admission, Retention and Discharge Policies
340.1314	Criminal History Background Checks for Persons Who Were Residents on May 10, 2006 (Repealed)

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- 340.1315 Identified Offenders
- 340.1316 Discharge Planning for Identified Offenders
- 340.1317 Transfer of an Identified Offender
- 340.1320 Disaster Preparedness
- 340.1330 Incidents and Accidents
- 340.1335 Infection Control
- 340.1340 Facility Record Requirements
- 340.1350 Personnel Policies
- 340.1351 Whistleblower Protection
- 340.1360 Initial Health Evaluation for Employees
- 340.1370 Administrator
- 340.1375 Personnel Requirements
- 340.1376 Registry of Certified Nursing Assistants
- 340.1377 Health Care Worker Background Check
- 340.1378 Resident Attendants
- 340.1380 Contacting Local Law Enforcement

SUBPART C: RESIDENT RIGHTS

Section

- 340.1400 Implementation of Resident Rights and Facility Responsibilities
- 340.1410 General
- 340.1420 Contract Between Resident and Facility
- 340.1430 Residents' Advisory Council
- 340.1440 Abuse and Neglect
- 340.1450 Communication and Visitation
- 340.1460 Resident's Funds
- 340.1470 Transfer or Discharge
- 340.1480 Complaint Procedures
- 340.1490 Private Right of Action

SUBPART D: HEALTH SERVICES

Section

- 340.1500 Medical Care Policies
- 340.1505 Medical, Nursing and Restorative Services
- 340.1510 Communicable Disease Policies
- 340.1520 Tuberculin Skin Test Procedures
- 340.1530 Physician Services
- 340.1535 Dental Programs
- 340.1540 Life-Sustaining Treatments

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- 340.1550 Obstetrical and Gynecological Care
- 340.1560 Nursing Personnel
- 340.1570 Personal Care
- 340.1575 Care and Treatment of Sexual Assault Survivors
- 340.1580 Restraints
- 340.1590 Nonemergency Use of Physical Restraints
- 340.1600 Emergency Use of Physical Restraints
- 340.1610 Unnecessary, Psychotropic, and Antipsychotic Drugs
- 340.1620 Medication Administration (Repealed)
- 340.1630 Self-Administration of Medication (Renumbered)
- 340.1640 Vaccinations
- 340.1645 Language Assistance Services

SUBPART E: MEDICATIONS

Section

- 340.1650 Medication Policies and Procedures
- 340.1655 Compliance with Licensed Prescriber's Orders
- 340.1660 Administration of Medication
- 340.1665 Control of Medication
- 340.1670 Labeling and Storage of Medication
- 340.1675 Self-Administration of Medication

SUBPART F: RESIDENT LIVING SERVICES

Section

- 340.1700 Recreational and Activity Programs
- 340.1710 Social Services
- 340.1720 Work Programs
- 340.1730 Volunteer Program

SUBPART G: RESIDENT RECORDS

Section

- 340.1800 Resident Record Requirements
- 340.1810 Content of Medical Records
- 340.1820 Records Pertaining to Resident's Property
- 340.1830 Retention, Transfer, and Inspection of Records
- 340.1840 Confidentiality of Resident's Records

SUBPART H: FOOD SERVICE

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Section

340.1900	Food Service Staff
340.1910	Diet Orders
340.1920	Meal Planning
340.1930	Therapeutic Diets (Repealed)
340.1940	Menus and Food Records
340.1950	Food Preparation and Service
340.1960	Kitchen Equipment, Utensils and Supplies

SUBPART I: PHYSICAL PLANT SERVICES,
FURNISHINGS, EQUIPMENT AND SUPPLIES

Section

340.2000	Maintenance
340.2010	Water Supply, Sewage Disposal and Plumbing
340.2020	Housekeeping
340.2030	Laundry Services
340.2040	Furnishings
340.2050	Equipment and Supplies
340.TABLE A	Heat Index Table/Apparent Temperature
340.TABLE B	Guidelines for the Use of Various Drugs

AUTHORITY: Implementing and authorized by the Nursing Home Care Act [210 ILCS 45].

SOURCE: Emergency rule adopted at 18 Ill. Reg. 10391, effective June 21, 1994, for a maximum of 150 days; emergency rule expired November 18, 1994; adopted at 19 Ill. Reg. 5679, effective April 3, 1995; emergency amendment at 20 Ill. Reg. 496, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 10045, effective July 15, 1996; amended at 20 Ill. Reg. 12013, effective September 10, 1996; amended at 22 Ill. Reg. 3959, effective February 13, 1998; amended at 22 Ill. Reg. 7162, effective April 15, 1998; amended at 23 Ill. Reg. 1038, effective January 15, 1999; amended at 23 Ill. Reg. 7931, effective July 15, 1999; amended at 24 Ill. Reg. 17225, effective November 1, 2000; amended at 25 Ill. Reg. 4869, effective April 1, 2001; amended at 26 Ill. Reg. 4870, effective April 1, 2002; amended at 26 Ill. Reg. 10589, effective July 1, 2002; emergency amendment at 27 Ill. Reg. 2222, effective February 1, 2003, for a maximum of 150 days; emergency expired June 30, 2003; amended at 27 Ill. Reg. 5903, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 14230, effective August 15, 2003, for a maximum of 150 days; emergency expired January 11, 2004; amended at 27 Ill. Reg. 15904, effective September 25, 2003; amended at 27 Ill. Reg. 18148, effective November 15, 2003; amended at 28 Ill. Reg.

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11209, effective July 22, 2004; emergency amendment at 29 Ill. Reg. 11931, effective July 12, 2005, for a maximum of 150 days; emergency rule modified in response to JCAR Recommendation at 29 Ill. Reg. 15208, effective September 23, 2005, for the remainder of the maximum 150 days; emergency amendment expired December 8, 2005; amended at 29 Ill. Reg. 12924, effective August 2, 2005; amended at 30 Ill. Reg. 1452, effective January 23, 2006; amended at 30 Ill. Reg. 5303, effective March 2, 2006; amended at 31 Ill. Reg. 6098, effective April 3, 2007; amended at 31 Ill. Reg. 8841, effective June 6, 2007; amended at 33 Ill. Reg. 9384, effective June 17, 2009; amended at 34 Ill. Reg. 19214, effective November 23, 2010; amended at 35 Ill. Reg. 3442, effective February 14, 2011; amended at 35 Ill. Reg. 11596, effective June 29, 2011; amended at 37 Ill. Reg. 2330, effective February 4, 2013; amended at 37 Ill. Reg. 4983, effective March 29, 2013; amended at 39 Ill. Reg. 5482, effective March 25, 2015; amended at 42 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 340.1190 Ownership Disclosure

As a condition of the issuance or renewal of the license of any facility, the applicant shall file a statement of ownership. The applicant shall update the information required in the statement of ownership within 10 days after any change. (Section 3-207(a) of the Act) The statement of ownership shall include the following:

- a) The name, address, telephone number, occupation or business activity, business address and business telephone number of the person who is the owner of the facility and every person who owns the building in which the facility is located, if other than the owner of the facility, and the percent of direct or indirect financial interest of those persons who have a direct or indirect financial interest of five percent or more in the legal entity designated as the operator/licensee of the facility that is the subject of the application or license;
- b) The name, address, telephone number, occupation or business activity, business address, business telephone number, and percent of direct or indirect financial interest of those persons who have a direct or indirect financial interest of five percent or more in the legal entity that owns the building in which the operator or licensee is operating the facility that is the subject of the application or license; and
- c) The name and address of any facility, wherever located, any financial interest that is owned by the applicant, if the facility were required to be licensed if it were located in this State. (Section 3-207(b) of the Act)

(Source: Amended at 42 Ill. Reg. _____, effective _____)