

1 AN ACT concerning health facilities.

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

4 Section 5. The Hospice Program Licensing Act is amended
5 by changing Sections 3, 4, and 5 as follows:

6 (210 ILCS 60/3) (from Ch. 111 1/2, par. 6103)

7 Sec. 3. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 (a) "Bereavement" means the period of time during which
10 the hospice patient's family experiences and adjusts to the
11 death of the hospice patient.

12 (b) "Department" means the Illinois Department of Public
13 Health.

14 (c) "Director" means the Director of the Illinois
15 Department of Public Health.

16 (d) "Full hospice" means a coordinated program of home
17 and inpatient care providing directly, or through agreement,
18 palliative and supportive medical, health and other services
19 to terminally ill patients and their families. A full
20 hospice utilizes a medically directed interdisciplinary
21 hospice care team of professionals and volunteers. The
22 program provides care to meet the physical, psychological,
23 social, spiritual and other special needs which are
24 experienced during the final stages of illness and during
25 dying and bereavement. Home care is to be provided on a
26 part-time, intermittent, regularly scheduled basis, and on an
27 on-call around-the-clock basis according to patient and
28 family need. To the maximum extent possible, care shall be
29 furnished in the patient's home. Should in-patient care be
30 required, services are to be provided with the intent of
31 minimizing the length of such care and shall only be provided

1 in a hospital licensed under the Hospital Licensing Act, or a
2 skilled nursing facility licensed under the Nursing Home Care
3 Act.

4 (e) "Hospice care team" means an interdisciplinary
5 working unit composed of but not limited to a physician
6 licensed to practice medicine in all of its branches, a nurse
7 licensed pursuant to the Nursing and Advanced Practice
8 Nursing Act, a social worker, a pastoral or other counselor,
9 and trained volunteers. The patient and the patient's family
10 are considered members of the hospice care team when
11 development or revision of the patient's plan of care takes
12 place.

13 (f) "Hospice patient" means a terminally ill person
14 receiving hospice services.

15 (g) "Hospice patient's family" means a hospice patient's
16 immediate family consisting of a spouse, sibling, child,
17 parent and those individuals designated as such by the
18 patient for the purposes of this Act.

19 (g-1) "Hospice residence" means a home, apartment
20 building, or similar building providing living quarters:

21 (1) that is owned or operated by a person licensed
22 to operate as a full hospice; and

23 (2) at which hospice services are provided to
24 facility residents.

25 A building that is licensed under the Hospital Licensing
26 Act or the Nursing Home Care Act is not a hospice residence.

27 (h) "Hospice services" means palliative and supportive
28 care provided to a hospice patient and his family to meet the
29 special need arising out of the physical, emotional,
30 spiritual and social stresses which are experienced during
31 the final stages of illness and during dying and bereavement.
32 Services provided to the terminally ill patient shall be
33 furnished, to the maximum extent possible, in the patient's
34 home. Should inpatient care be required, services are to be

1 provided with the intent of minimizing the length of such
2 care.

3 (i) "Palliative care" means treatment to provide for the
4 reduction or abatement of pain and other troubling symptoms,
5 rather than treatment aimed at investigation and intervention
6 for the purpose of cure or inappropriate prolongation of
7 life.

8 (j) "Hospice service plan" means a plan detailing the
9 specific hospice services offered by a full or volunteer
10 hospice, and the administrative and direct care personnel
11 responsible for those services. The plan shall include but
12 not be limited to:

13 (1) Identification of the person or persons
14 administratively responsible for the program, ~~and the~~
15 ~~affiliation of such person or persons with a licensed~~
16 ~~home-health-agency, hospital or nursing-home.~~

17 (2) The estimated average monthly patient census.

18 (3) The proposed geographic area the hospice will
19 serve.

20 (4) A listing of those hospice services provided
21 directly by the hospice, and those hospice services
22 provided indirectly through a contractual agreement.

23 (5) The name and qualifications of those persons or
24 entities under contract to provide indirect hospice
25 services.

26 (6) The name and qualifications of those persons
27 providing direct hospice services, with the exception of
28 volunteers.

29 (7) A description of how the hospice plans to
30 utilize volunteers in the provision of hospice services.

31 (8) A description of the program's record keeping
32 system.

33 (k) "Terminally ill" means a medical prognosis by a
34 physician licensed to practice medicine in all of its

1 branches that a patient has an anticipated life expectancy of
2 a year 6-months or less.

3 (l) "Volunteer" means a person who offers his or her
4 services to a hospice without compensation. Reimbursement
5 for a volunteer's expenses in providing hospice service shall
6 not be considered compensation.

7 (m) "Volunteer hospice" means a program which provides
8 hospice services to patients regardless of their ability to
9 pay, with emphasis on the utilization of volunteers to
10 provide services, under the administration of a
11 not-for-profit agency. This definition does not prohibit the
12 employment of staff.

13 (Source: P.A. 89-278, eff. 8-10-95; 90-742, eff. 8-13-98.)

14 (210 ILCS 60/4) (from Ch. 111 1/2, par. 6104)

15 Sec. 4. License.

16 (a) No person shall establish, conduct or maintain a full
17 or volunteer hospice without first obtaining a license from
18 the Department. A hospice residence may be operated only at
19 the locations listed on the license. A full hospice owning
20 or operating a hospice residence is not subject to the
21 provisions of the Nursing Home Care Act in owning or
22 operating a hospice residence.

23 (b) No public or private agency shall advertise or
24 present itself to the public as a full or volunteer hospice
25 which provides hospice services without meeting the
26 provisions of subsection (a).

27 (c) The license shall be valid only in the possession of
28 the hospice ~~home--health--agency, hospital, nursing-home-or~~
29 ~~not-for-profit-agency~~ to which it was originally issued and
30 shall not be transferred or assigned to any other person,
31 agency, or corporation.

32 (d) The license shall be renewed annually.

33 (e) The license shall be displayed in a conspicuous

1 place inside the hospice program office.

2 (Source: P.A. 89-278, eff. 8-10-95.)

3 (210 ILCS 60/5) (from Ch. 111 1/2, par. 6105)

4 Sec. 5. Application for License. An application for
5 license or renewal thereof to operate as a full or volunteer
6 hospice shall be made to the Department upon forms provided
7 by it, and shall contain information reasonably required by
8 the Department, ~~taking into consideration the different~~
9 ~~categories of hospice programs.~~ The application shall be
10 accompanied by:

11 (1) The hospice service plan;

12 (2) A financial statement containing information deemed
13 appropriate by the Department ~~for the category of the~~
14 ~~applicant;~~ and

15 (3) A uniform license fee determined by the Department
16 ~~based on the hospice program's category.~~

17 (Source: P.A. 84-427.)

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