DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 300
SKILLED NURSING AND INTERMEDIATE CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.1</td>
<td>COVID-19 Emergency Provisions</td>
</tr>
<tr>
<td>300.2</td>
<td>COVID-19 Emergency Provisions for Licenses and Inspections</td>
</tr>
<tr>
<td>300.110</td>
<td>General Requirements</td>
</tr>
<tr>
<td>300.120</td>
<td>Application for License</td>
</tr>
<tr>
<td>300.130</td>
<td>Licensee</td>
</tr>
<tr>
<td>300.140</td>
<td>Issuance of an Initial License for a New Facility</td>
</tr>
<tr>
<td>300.150</td>
<td>Issuance of an Initial License Due to a Change of Ownership</td>
</tr>
<tr>
<td>300.160</td>
<td>Issuance of a Renewal License</td>
</tr>
<tr>
<td>300.163</td>
<td>Alzheimer's Special Care Disclosure</td>
</tr>
<tr>
<td>300.165</td>
<td>Criteria for Adverse Licensure Actions</td>
</tr>
<tr>
<td>300.170</td>
<td>Denial of Initial License</td>
</tr>
<tr>
<td>300.175</td>
<td>Denial of Renewal of License</td>
</tr>
<tr>
<td>300.180</td>
<td>Revocation of License</td>
</tr>
<tr>
<td>300.190</td>
<td>Experimental Program Conflicting With Requirements</td>
</tr>
<tr>
<td>300.200</td>
<td>Inspections, Surveys, Evaluations and Consultation</td>
</tr>
<tr>
<td>300.210</td>
<td>Filing an Annual Attested Financial Statement</td>
</tr>
<tr>
<td>300.220</td>
<td>Information to Be Made Available to the Public By the Department</td>
</tr>
<tr>
<td>300.230</td>
<td>Information to Be Made Available to the Public By the Licensee</td>
</tr>
<tr>
<td>300.240</td>
<td>Municipal Licensing</td>
</tr>
<tr>
<td>300.250</td>
<td>Ownership Disclosure</td>
</tr>
<tr>
<td>300.260</td>
<td>Issuance of Conditional Licenses</td>
</tr>
<tr>
<td>300.270</td>
<td>Monitor and Receivership</td>
</tr>
<tr>
<td>300.271</td>
<td>Presentation of Findings</td>
</tr>
<tr>
<td>300.272</td>
<td>Determination to Issue a Notice of Violation or Administrative Warning</td>
</tr>
<tr>
<td>300.274</td>
<td>Determination of the Level of a Violation</td>
</tr>
<tr>
<td>300.276</td>
<td>Notice of Violation</td>
</tr>
<tr>
<td>300.277</td>
<td>Administrative Warning</td>
</tr>
<tr>
<td>300.278</td>
<td>Plans of Correction</td>
</tr>
</tbody>
</table>
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

300.280 Reports of Correction
300.282 Conditions for Assessment of Penalties
300.284 Calculation of Penalties (Repealed)
300.286 Notice of Penalty Assessment; Response by Facility
300.287 Consideration of Factors for Assessing Penalties
300.288 Reduction or Waiver of Penalties
300.290 Quarterly List of Violators (Repealed)
300.300 Alcoholism Treatment Programs In Long-Term Care Facilities
300.310 Department May Survey Facilities Formerly Licensed
300.315 Supported Congregate Living Arrangement Demonstration
300.320 Waivers
300.330 Definitions
300.340 Incorporated and Referenced Materials

SUBPART B: ADMINISTRATION

Section
300.510 Administrator

SUBPART C: POLICIES

Section
300.610 Resident Care Policies
300.615 Determination of Need Screening and Request for Resident Criminal History Record Information
300.620 Admission, Retention and Discharge Policies
300.624 Criminal History Background Checks for Persons Who Were Residents on May 10, 2006 (Repealed)
300.625 Identified Offenders
300.626 Discharge Planning for Identified Offenders
300.627 Transfer of an Identified Offender
300.630 Contract Between Resident and Facility
300.640 Residents' Advisory Council
300.650 Personnel Policies
300.651 Whistleblower Protection
300.655 Initial Health Evaluation for Employees
300.660 Nursing Assistants
300.661 Health Care Worker Background Check
300.662 Resident Attendants
300.663 Registry of Certified Nursing Assistants
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

300.665 Student Interns
300.670 Disaster Preparedness
300.680 Restraints
300.682 Nonemergency Use of Physical Restraints
300.684 Emergency Use of Physical Restraints
300.686 Unnecessary, Psychotropic, and Antipsychotic Drugs
300.690 Incidents and Accidents
300.695 Contacting Local Law Enforcement
300.696 Infection Control

SUBPART D: PERSONNEL

Section
300.810 General
300.820 Categories of Personnel
300.830 Consultation Services
300.840 Personnel Policies

SUBPART E: MEDICAL AND DENTAL CARE OF RESIDENTS

Section
300.1010 Medical Care Policies
300.1020 Communicable Disease Policies
300.1025 Tuberculin Skin Test Procedures
300.1030 Medical Emergencies
300.1035 Life-Sustaining Treatments
300.1040 Care and Treatment of Sexual Assault Survivors
300.1050 Dental Standards
300.1060 Vaccinations

SUBPART F: NURSING AND PERSONAL CARE

Section
300.1210 General Requirements for Nursing and Personal Care
300.1220 Supervision of Nursing Services
300.1230 Direct Care Staffing
300.1240 Additional Requirements

SUBPART G: RESIDENT CARE SERVICES
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section
300.1410 Activity Program
300.1420 Specialized Rehabilitation Services
300.1430 Work Programs
300.1440 Volunteer Program
300.1450 Language Assistance Services

SUBPART H: MEDICATIONS

Section
300.1610 Medication Policies and Procedures
300.1620 Compliance with Licensed Prescriber's Orders
300.1630 Administration of Medication
300.1640 Labeling and Storage of Medications
300.1650 Control of Medications

SUBPART I: RESIDENT AND FACILITY RECORDS

Section
300.1810 Resident Record Requirements
300.1820 Content of Medical Records
300.1830 Records Pertaining to Residents' Property
300.1840 Retention and Transfer of Resident Records
300.1850 Other Resident Record Requirements
300.1860 Staff Responsibility for Medical Records
300.1870 Retention of Facility Records
300.1880 Other Facility Record Requirements

SUBPART J: FOOD SERVICE

Section
300.2010 Director of Food Services
300.2020 Dietary Staff in Addition to Director of Food Services
300.2030 Hygiene of Dietary Staff
300.2040 Diet Orders
300.2050 Meal Planning
300.2060 Therapeutic Diets (Repealed)
300.2070 Scheduling Meals
300.2080 Menus and Food Records
300.2090 Food Preparation and Service
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

300.2100 Food Handling Sanitation
300.2110 Kitchen Equipment, Utensils, and Supplies

SUBPART K: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

Section
300.2210 Maintenance
300.2220 Housekeeping
300.2230 Laundry Services

SUBPART L: FURNISHINGS, EQUIPMENT, AND SUPPLIES

Section
300.2410 Furnishings
300.2420 Equipment and Supplies
300.2430 Sterilization of Equipment and Supplies

SUBPART M: WATER SUPPLY AND SEWAGE DISPOSAL

Section
300.2610 Codes
300.2620 Water Supply
300.2630 Sewage Disposal
300.2640 Plumbing

SUBPART N: DESIGN AND CONSTRUCTION STANDARDS
FOR NEW INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

Section
300.2810 Applicability of these Standards
300.2820 Codes and Standards
300.2830 Preparation of Drawings and Specifications
300.2840 Site
300.2850 Administration and Public Areas
300.2860 Nursing Unit
300.2870 Dining, Living, Activities Rooms
300.2880 Therapy and Personal Care
300.2890 Service Departments
300.2900 General Building Requirements
300.2910 Structural
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.2920</td>
<td>Mechanical Systems</td>
</tr>
<tr>
<td>300.2930</td>
<td>Plumbing Systems</td>
</tr>
<tr>
<td>300.2940</td>
<td>Electrical Systems</td>
</tr>
</tbody>
</table>

**SUBPART O: DESIGN AND CONSTRUCTION STANDARDS**

FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.3010</td>
<td>Applicability</td>
</tr>
<tr>
<td>300.3020</td>
<td>Codes and Standards</td>
</tr>
<tr>
<td>300.3030</td>
<td>Preparation of Drawings and Specifications</td>
</tr>
<tr>
<td>300.3040</td>
<td>Site</td>
</tr>
<tr>
<td>300.3050</td>
<td>Administration and Public Areas</td>
</tr>
<tr>
<td>300.3060</td>
<td>Nursing Unit</td>
</tr>
<tr>
<td>300.3070</td>
<td>Living, Dining, Activities Rooms</td>
</tr>
<tr>
<td>300.3080</td>
<td>Treatment and Personal Care</td>
</tr>
<tr>
<td>300.3090</td>
<td>Service Departments</td>
</tr>
<tr>
<td>300.3100</td>
<td>General Building Requirements</td>
</tr>
<tr>
<td>300.3110</td>
<td>Structural</td>
</tr>
<tr>
<td>300.3120</td>
<td>Mechanical Systems</td>
</tr>
<tr>
<td>300.3130</td>
<td>Plumbing Systems</td>
</tr>
<tr>
<td>300.3140</td>
<td>Electrical Requirements</td>
</tr>
</tbody>
</table>

**SUBPART P: RESIDENT'S RIGHTS**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.3210</td>
<td>General</td>
</tr>
<tr>
<td>300.3220</td>
<td>Medical Care</td>
</tr>
<tr>
<td>300.3230</td>
<td>Restraints (Repealed)</td>
</tr>
<tr>
<td>300.3240</td>
<td>Abuse and Neglect</td>
</tr>
<tr>
<td>300.3250</td>
<td>Communication and Visitation</td>
</tr>
<tr>
<td>300.3260</td>
<td>Resident's Funds</td>
</tr>
<tr>
<td>300.3270</td>
<td>Residents' Advisory Council</td>
</tr>
<tr>
<td>300.3280</td>
<td>Contract With Facility</td>
</tr>
<tr>
<td>300.3290</td>
<td>Private Right of Action</td>
</tr>
<tr>
<td>300.3300</td>
<td>Transfer or Discharge</td>
</tr>
<tr>
<td>300.3310</td>
<td>Complaint Procedures</td>
</tr>
<tr>
<td>300.3320</td>
<td>Confidentiality</td>
</tr>
<tr>
<td>300.3330</td>
<td>Facility Implementation</td>
</tr>
</tbody>
</table>
ILLINOIS REGISTERS

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.3410</td>
<td>Application of Other Sections of These Minimum Standards (Repealed)</td>
</tr>
<tr>
<td>300.3420</td>
<td>Administrator (Repealed)</td>
</tr>
<tr>
<td>300.3430</td>
<td>Policies (Repealed)</td>
</tr>
<tr>
<td>300.3440</td>
<td>Personnel (Repealed)</td>
</tr>
<tr>
<td>300.3450</td>
<td>Resident Living Services Medical and Dental Care (Repealed)</td>
</tr>
<tr>
<td>300.3460</td>
<td>Resident Services Program (Repealed)</td>
</tr>
<tr>
<td>300.3470</td>
<td>Psychological Services (Repealed)</td>
</tr>
<tr>
<td>300.3480</td>
<td>Social Services (Repealed)</td>
</tr>
<tr>
<td>300.3490</td>
<td>Recreational and Activities Services (Repealed)</td>
</tr>
<tr>
<td>300.3500</td>
<td>Individual Treatment Plan (Repealed)</td>
</tr>
<tr>
<td>300.3510</td>
<td>Health Services (Repealed)</td>
</tr>
<tr>
<td>300.3520</td>
<td>Medical Services (Repealed)</td>
</tr>
<tr>
<td>300.3530</td>
<td>Dental Services (Repealed)</td>
</tr>
<tr>
<td>300.3540</td>
<td>Optometric Services (Repealed)</td>
</tr>
<tr>
<td>300.3550</td>
<td>Audiometric Services (Repealed)</td>
</tr>
<tr>
<td>300.3560</td>
<td>Podiatric Services (Repealed)</td>
</tr>
<tr>
<td>300.3570</td>
<td>Occupational Therapy Services (Repealed)</td>
</tr>
<tr>
<td>300.3580</td>
<td>Nursing and Personal Care (Repealed)</td>
</tr>
<tr>
<td>300.3590</td>
<td>Resident Care Services (Repealed)</td>
</tr>
<tr>
<td>300.3600</td>
<td>Record Keeping (Repealed)</td>
</tr>
<tr>
<td>300.3610</td>
<td>Food Service (Repealed)</td>
</tr>
<tr>
<td>300.3620</td>
<td>Furnishings, Equipment and Supplies (New and Existing Facilities) (Repealed)</td>
</tr>
<tr>
<td>300.3630</td>
<td>Design and Construction Standards (New and Existing Facilities) (Repealed)</td>
</tr>
</tbody>
</table>

SUBPART R: DAYCARE PROGRAMS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.3710</td>
<td>Day Care in Long-Term Care Facilities</td>
</tr>
</tbody>
</table>

SUBPART S: PROVIDING SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.4000</td>
<td>Applicability of Subpart S</td>
</tr>
<tr>
<td>300.4010</td>
<td>Comprehensive Assessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S</td>
</tr>
<tr>
<td>300.4020</td>
<td>Reassessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S</td>
</tr>
</tbody>
</table>
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

300.4030 Individualized Treatment Plan for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
300.4040 General Requirements for Facilities Subject to Subpart S
300.4050 Psychiatric Rehabilitation Services for Facilities Subject to Subpart S
300.4060 Discharge Plans for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
300.4070 Work Programs for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
300.4080 Community-Based Rehabilitation Programs for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
300.4090 Personnel for Providing Services to Persons with Serious Mental Illness for Facilities Subject to Subpart S

SUBPART T: FACILITIES PARTICIPATING IN ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES' DEMONSTRATION PROGRAM FOR PROVIDING SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

Section
300.6000 Applicability of Subpart T (Repealed)
300.6005 Quality Assessment and Improvement for Facilities Subject to Subpart T (Repealed)
300.6010 Comprehensive Assessments for Residents of Facilities Subject to Subpart T (Repealed)
300.6020 Reassessments for Residents of Facilities Subject to Subpart T (Repealed)
300.6030 Individualized Treatment Plan for Residents of Facilities Subject to Subpart T (Repealed)
300.6040 General Requirements for Facilities Subject to Subpart T (Repealed)
300.6045 Serious Incidents and Accidents in Facilities Subject to Subpart T (Repealed)
300.6047 Medical Care Policies for Facilities Subject to Subpart T (Repealed)
300.6049 Emergency Use of Restraints for Facilities Subject to Subpart T (Repealed)
300.6050 Psychiatric Rehabilitation Services for Facilities Subject to Subpart T (Repealed)
300.6060 Discharge Plans for Residents of Facilities Subject to Subpart T (Repealed)
300.6070 Work Programs for Residents of Facilities Subject to Subpart T (Repealed)
300.6080 Community-Based Rehabilitation Programs for Residents of Facilities Subject to Subpart T (Repealed)
300.6090 Personnel for Providing Services to Residents of Facilities Subject to Subpart T (Repealed)
300.6095 Training and Continuing Education for Facilities Subject to Subpart T (Repealed)
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

SUBPART U: ALZHEIMER’S SPECIAL CARE UNIT OR CENTER PROVIDING CARE TO PERSONS WITH ALZHEIMER’S DISEASE OR OTHER DEMENTIA

Section
300.7000 Applicability
300.7010 Admission Criteria
300.7020 Assessment and Care Planning
300.7030 Ability-Centered Care
300.7040 Activities
300.7050 Staffing
300.7060 Environment
300.7070 Quality Assessment and Improvement
300.7080 Variances to Enhance Residents' Quality of Life

300.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities (Repealed)
300.APPENDIX B Classification of Distinct Part of a Facility for Different Levels of Service (Repealed)
300.APPENDIX C Federal Requirements Regarding Patients'/Residents' Rights (Repealed)
300.APPENDIX D Forms for Day Care in Long-Term Care Facilities
300.APPENDIX E Criteria for Activity Directors Who Need Only Minimal Consultation (Repealed)
300.APPENDIX F Guidelines for the Use of Various Drugs
300.APPENDIX G Facility Report
300.TABLE A Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities
300.TABLE B Pressure Relationships and Ventilation Rates of Certain Areas for New Intermediate Care Facilities and Skilled Nursing Facilities
300.TABLE C Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities
300.TABLE D Heat Index Table/Apparent Temperature

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS


SUBPART A: GENERAL PROVISIONS

Section 300.1 COVID-19 Emergency Provisions

EMERGENCY

To address potential staffing shortages during the COVID-19 pandemic, the following provisions shall apply to this Part during the duration of Governor Pritzker’s Gubernatorial Disaster Proclamations issued in response to COVID-19:

a) Section 300.660(b)(2) is suspended only to the extent that it requires nursing assistants to successfully complete a Department-approved Basic Nursing Assistant Training Program within 120 days after the date of initial employment. The requirement that nursing assistants successfully complete a Department-approved Basic Nursing Assistant Training Program is not suspended.

b) Section 300.660(b)(3) is suspended only to the extent that it requires nursing assistants to submit documentation within 120 days to the Department in accordance with section 300.663 of this Part in order to be registered on the Nurse
Aide Registry. The requirement that nursing assistants submit such documentation is not suspended.

c) Upon request by the Department or the facility’s Director of Nursing, individuals working as certified nursing assistants shall demonstrate competency of the principles, techniques, and procedures of the CNA training program curriculum and checklist set forth in the Basic Nursing Assistant Training Program (77 Ill. Adm. Code 395.300), completion of which shall be observed and properly documented by a Registered Nurse.

d) The facility shall maintain documentation of the determination of competency for individuals working as CNAs.

e) A facility shall continue to comply with all other requirements established by the Department in this Part.

(Source: Added by emergency rulemaking at 44 Ill. Reg. ______; effective __________ for a maximum of 150 days)

Section 300.2 COVID-19 Emergency Provisions for Licenses and Inspections

EMERGENCY

For the duration of the Gubernatorial Disaster Proclamations related to the COVID-19 public health emergency:

a) Section 300.140(b) and Section 300.150(f) regarding issuance of a probationary license for new facilities or those with changed ownership are suspended.

b) Section 300.140(c) and Section 300.150(g) regarding facility inspections prior to termination of a probationary license are suspended.

c) Section 300.200(a) regarding annual inspections is suspended.

d) Section 300.2810(e) regarding final inspections is suspended.

e) The provision in Section 300.3310(f) regarding the 30-day timeframe for the initiation of an on-site investigation after receipt of a complaint unrelated to allegations of abuse and neglect is suspended.
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

f) In conducting on-site investigations and surveys, the Department will minimize the impact on facility activities, while ensuring facilities are implementing actions to protect the health and safety of residents, staff, and other individuals in response to the COVID-19 pandemic.

g) Section 300.3300(c)(1)(D) regarding the involuntary transfer or discharge of a resident due to late payment or nonpayment is suspended.

(Source: Added by emergency rulemaking at 44 Ill. Reg. ______; effective ____________ for a maximum of 150 days)