DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part**: Skilled Nursing and Intermediate Care Facilities Code

2) **Code Citation**: 77 Ill. Adm. Code 300

3) **Section Number**: 300.690
   **Adopted Action**: Amend

4) **Statutory Authority**: Nursing Home Care Act [210 ILCS 45]

5) **Effective Date of Rulemaking**: June 17, 2009

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 Department's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: September 12, 2008; 32 Ill. Reg. 14644

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences between proposal and final version**: The following changes were made in response to comments received during the first notice or public comment period:

In Section 300.690, all existing text was stricken, all underlined text was deleted, and new text was added as follows:

"a) The facility shall maintain a file of all written reports of each serious incident and accident affecting a resident that is not the expected outcome of a resident's condition or disease process. A descriptive summary of each serious incident or accident affecting a resident shall also be recorded in the progress notes or nurse's notes of that resident.

b) The facility shall notify the Department of any serious incident or accident that causes physical harm or injury to a resident.

c) The facility shall, by fax or phone, notify the Regional Office within 24 hours after each reportable serious incident or accident. If the facility is
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

The following changes were made in response to comments and suggestions of the JCAR:

1. In the table of contents for Section 300.690 and the heading at Section 300.690, "Serious" was stricken.

2. In Section 300.690(a), lines 1 and 3, "serious" was deleted.

3. In Section 300.690(b), "For purposes of this Section, "serious" means any incident or accident" was added after "accident".

4. In Section 300.690(c), "serious" was deleted.

In addition, various typographical, grammatical and form changes were made in response to the 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 any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of the Rulemaking: Part 300 regulates skilled nursing and intermediate care facilities, including establishing requirements for reporting serious incidents and accidents. The purpose of the adopted amendment is to clarify the specific situations that would require a facility to report an incident or accident to the Department. Section 300.690 (Serious Incidents and Accidents) is amended to clarify the reporting requirements for incidents and accidents that affect individuals.

16) Information and questions regarding this adopted amendment shall be directed to:

Susan Meister
Division of Legal Services
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

Department of Public Health
535 West Jefferson, 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:
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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

Section
300.110 General Requirements
300.120 Application for License
300.130 Licensee
300.140 Issuance of an Initial License for a New Facility
300.150 Issuance of an Initial License Due to a Change of Ownership
300.160 Issuance of a Renewal License
300.163 Alzheimer's Special Care Disclosure
300.165 Criteria for Adverse Licensure Actions
300.170 Denial of Initial License
300.175 Denial of Renewal of License
300.180 Revocation of License
300.190 Experimental Program Conflicting With Requirements
300.200 Inspections, Surveys, Evaluations and Consultation
300.210 Filing an Annual Attested Financial Statement
300.220 Information to Be Made Available to the Public By the Department
300.230 Information to Be Made Available to the Public By the Licensee
300.240 Municipal Licensing
300.250 Ownership Disclosure
300.260 Issuance of Conditional Licenses
300.270 Monitor and Receivership
300.271 Presentation of Findings
300.272 Determination to Issue a Notice of Violation or Administrative Warning
300.274 Determination of the Level of a Violation
300.276 Notice of Violation
300.277 Administrative Warning
300.278 Plans of Correction
300.280 Reports of Correction
300.282 Conditions for Assessment of Penalties
300.284 Calculation of Penalties
300.286 Determination to Assess Penalties
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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
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
300.655 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
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
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

300.686 Unnecessary, Psychotropic, and Antipsychotic Drugs
300.690 Serious 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 Behavior Emergencies (Repealed)
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 Staffing
300.1240 Additional Requirements

SUBPART G: RESIDENT CARE SERVICES

Section
300.1410 Activity Program
300.1420 Specialized Rehabilitation Services
300.1430 Work Programs
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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
300.2100 Food Handling Sanitation
300.2110 Kitchen Equipment, Utensils, and Supplies
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENT

SUBPART K: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.2210</td>
<td>Maintenance</td>
</tr>
<tr>
<td>300.2220</td>
<td>Housekeeping</td>
</tr>
<tr>
<td>300.2230</td>
<td>Laundry Services</td>
</tr>
</tbody>
</table>

SUBPART L: FURNISHINGS, EQUIPMENT, AND SUPPLIES

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.2410</td>
<td>Furnishings</td>
</tr>
<tr>
<td>300.2420</td>
<td>Equipment and Supplies</td>
</tr>
<tr>
<td>300.2430</td>
<td>Sterilization of Equipment and Supplies</td>
</tr>
</tbody>
</table>

SUBPART M: WATER SUPPLY AND SEWAGE DISPOSAL

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.2610</td>
<td>Codes</td>
</tr>
<tr>
<td>300.2620</td>
<td>Water Supply</td>
</tr>
<tr>
<td>300.2630</td>
<td>Sewage Disposal</td>
</tr>
<tr>
<td>300.2640</td>
<td>Plumbing</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300.2810</td>
<td>Applicability of these Standards</td>
</tr>
<tr>
<td>300.2820</td>
<td>Codes and Standards</td>
</tr>
<tr>
<td>300.2830</td>
<td>Preparation of Drawings and Specifications</td>
</tr>
<tr>
<td>300.2840</td>
<td>Site</td>
</tr>
<tr>
<td>300.2850</td>
<td>Administration and Public Areas</td>
</tr>
<tr>
<td>300.2860</td>
<td>Nursing Unit</td>
</tr>
<tr>
<td>300.2870</td>
<td>Dining, Living, Activities Rooms</td>
</tr>
<tr>
<td>300.2880</td>
<td>Therapy and Personal Care</td>
</tr>
<tr>
<td>300.2890</td>
<td>Service Departments</td>
</tr>
<tr>
<td>300.2900</td>
<td>General Building Requirements</td>
</tr>
<tr>
<td>300.2910</td>
<td>Structural</td>
</tr>
<tr>
<td>300.2920</td>
<td>Mechanical Systems</td>
</tr>
<tr>
<td>300.2930</td>
<td>Plumbing Systems</td>
</tr>
</tbody>
</table>
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

300.2940  Electrical Systems

SUBPART O: DESIGN AND CONSTRUCTION STANDARDS
FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

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

SUBPART P: RESIDENT'S RIGHTS

Section
300.3210  General
300.3220  Medical and Personal Care Program
300.3230  Restraints (Repealed)
300.3240  Abuse and Neglect
300.3250  Communication and Visitation
300.3260  Resident's Funds
300.3270  Residents' Advisory Council
300.3280  Contract With Facility
300.3290  Private Right of Action
300.3300  Transfer or Discharge
300.3310  Complaint Procedures
300.3320  Confidentiality
300.3330  Facility Implementation

SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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

SUBPART R:  DAYCARE PROGRAMS

Section
300.3710 Day Care in Long-Term Care Facilities

SUBPART S: PROVIDING SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

Section
300.4000 Applicability of Subpart S
300.4010 Comprehensive Assessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
300.4020 Reassessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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 PUBLIC AID'S DEMONSTRATION PROGRAM FOR PROVIDING SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

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

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

Section
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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 ADOPTED AMENDMENT

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT


SUBPART C: POLICIES

Section 300.690  Serious Incidents and Accidents

a) The facility shall maintain a file of all written reports of each incident and accident affecting a resident that is not the expected outcome of a resident's condition or disease process. A descriptive summary of each incident or accident affecting a resident shall also be recorded in the progress notes or nurse's notes of that resident.

b) The facility shall notify the Department of any serious incident or accident. For purposes of this Section, "serious" means any incident or accident that causes physical harm or injury to a resident.

c) The facility shall, by fax or phone, notify the Regional Office within 24 hours after each reportable incident or accident. If the facility is unable to contact the Regional Office, it shall notify the Department's toll-free complaint registry hotline. The facility shall send a narrative summary of each reportable accident or incident to the Department within seven days after the occurrence.

a) The facility shall notify the Department of any incident or accident which has, or is likely to have, a significant effect on the health, safety, or welfare of a resident or residents. Incidents and accidents requiring the services of a physician, hospital, police or fire department, coroner, or other service provider on an emergency basis shall be reported to the Department.

b) A descriptive summary of each incident or accident shall be recorded in the progress notes or nurse's notes for each resident involved.
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

The facility shall maintain a file of all written reports of serious incidents or accidents involving residents.

1) Notification shall be made by a phone call to the Regional Office within 24 hours of each serious incident or accident. If the facility is unable to contact the Regional Office, notification shall be made by a phone call to the Department's toll-free complaint registry number.

2) A narrative summary of each accident or incident occurrence shall be sent to the Department within seven days of the occurrence.

(Source: Amended at 33 Ill. Reg. 9356, effective June 17, 2009)