



For Immediate Release
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March 6 , 2006

HOUSE PASSES LEGISLATION TO PROTECT NURSING HOME RESIDENTS FROM CONVICTED FELONS AND SEX OFFENDERS

Chicago – Attorney General Lisa Madigan, State Rep. James Brosnahan and State Sen. Edward Maloney today announced the House has passed legislation to further protect vulnerable elderly, disabled and mentally ill residents in state-licensed nursing homes by requiring background checks for all current and incoming nursing home residents.

With state investigators having discovered sex offenders and convicted felons residing within Illinois' long-term care facilities, the bill requires background checks so that nursing homes can ensure the safety of all residents by requiring that they know every resident's background and can create an effective care plan to deal with residents who might pose a danger. Nursing home residents can range in age from young adults in their teens to seniors.

The House passed the bill on Friday.

House Bill 4785 , known as An Act to Protect Vulnerable Adults, amends the Illinois Nursing Home Care Act. The bill is sponsored in the House by Brosnahan and Lee Daniels (R-Elmhurst). Maloney (D-Chicago) will sponsor the bill in the Illinois Senate, where the bill is now headed.

“This action demonstrates the House’s commitment to increase protections for some of our state’s most at-risk residents,” Madigan said. “Seniors, persons with disabilities and mentally ill residents of state-licensed nursing homes deserve the strongest safeguards we can provide for them.”

“This legislation makes the State of Illinois a leader in the field of nursing home safety. We need to be pro-active and protective in ensuring the safety of our loved ones in nursing homes,” Brosnahan said.

“Given the fact that we had seen such abuse and horror stories with the district I represent such as the situation that developed at the Emerald Park nursing home, we need this bill to protect the most vulnerable of our citizens, namely the seniors in nursing homes,” Maloney said.

“Attorney General Madigan is to be commended for her leadership to make Illinois the first state in the nation to address this devastating problem,” said Donna Ginther, Manager of State Affairs, AARP. “AARP believes that HB

4785 will help insure that vulnerable elderly nursing home residents are safe and protected.”

“This legislation is a powerful step to protect frail and vulnerable long-term care residents from dangerous individuals. It also allows facilities to care for people with criminal histories if they require care and the facility is willing to take steps to ensure the safety of all residents,” said Robyn O'Neill, Regional Long Term Care Ombudsman, Suburban Cook and Lake County.

“As advocates for residents, the Long Term Care Ombudsman Program is very pleased with the overwhelming majority with which this bill passed. We feel it shows strong support for protection of our vulnerable older adults who live in long term care facilities,” said Tami Lynn Wacker, Regional Ombudsman, East Central Illinois Area Agency on Aging.

Madigan said that under the legislation, nursing homes would be required to conduct background checks within 60 days on all current residents. Based on the results of those background checks, any nursing home resident or prospective resident identified as a convicted felon or sex offender would be referred to the Illinois Department of Public Health (IDPH), which would then conduct a criminal history analysis and provide case-specific direction to the facility. In addition, all sex offenders found to be residing in a nursing home would be required to undergo separate, sex offender-specific evaluations conducted by approved providers.

The legislation also would require IDPH to report the number of identified offender residents to the General Assembly each year.

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