



For Immediate Release
Contact: Melissa Merz
312-814-3118
877-844-5461 (TTY)
mmerz@atg.state.il.us
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**MADIGAN CALLS ON GOVERNOR TO SIGN LEGISLATION TO
PROTECT NURSING HOME RESIDENTS FROM CONVICTED
FELONS AND SEX OFFENDERS**

Moline – Attorney General Lisa Madigan, State Rep. James Brosnahan and State Sen. Edward Maloney today called on Gov. Rod Blagojevich to place Illinois on the cutting edge when it comes to protecting vulnerable elderly, disabled and mentally ill residents in state-licensed nursing homes by requiring background checks for all current and incoming nursing home residents. Madigan proposed the legislation, which was sponsored in the House by Brosnahan and in the Senate by Maloney.

State investigators have discovered sex offenders and convicted felons residing within Illinois' long-term care facilities. For that reason, the bill requires background checks so that nursing homes know every resident's background and can create an effective care plan to deal with residents who might pose a danger.

“Because this bill will be effective upon signature, we urge the Governor to sign HB 4785 immediately to bring critical protections to vulnerable adults throughout Illinois,” Madigan said. “These residents are separated from their families and dependent on nursing home staff and the State of Illinois to care for and protect them. These residents are entitled to every protection this state can afford. Failing them is not an option.”

“I was happy to sponsor this legislation because in my district, there was a long-term care facility that clearly was not properly caring for or supervising its residents,” Maloney said. “The conditions there led to an investigation and ultimately the closing of the facility. This legislation will ensure that the residents of these facilities, often the most vulnerable in our society, will receive the protection and care they deserve and provide their family members with the information they need to make long-term health decisions. I would like to thank Rep. Brosnahan and the Attorney General's office for their commitment to see that the goals of this legislation are achieved.”

“Working with AG Lisa Madigan and Sen. Maloney, we have tackled the complex issue of violent offenders in nursing homes, head on,” Brosnahan said. “We urge the Governor to sign HB 4785 because it will benefit everyone living and working in nursing homes through the State of Illinois.”

House Bill 4785, known as An Act to Protect Vulnerable Adults, amends the Illinois Nursing Home Care Act. Both chambers of the General Assembly overwhelmingly approved the legislation, although the Illinois Department of Public Health (IDPH) opposed the measure.

Madigan said that under the legislation, nursing homes would be required to conduct background checks within 60 days on all current and incoming 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 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 and have their own rooms.

Additionally, the legislation requires every licensed facility to post and provide to each a written notice advising the residents, their guardians and facility employees of their right to ask whether identified offenders reside within the facility.

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

“AARP commends Attorney General Lisa Madigan and Rep. Brosnahan and Sen. Maloney for finding a way to provide a safe environment for the frail elderly in nursing homes, while protecting their rights and individual care. We believe the Illinois Department of Public Health is the appropriate agency to assess and develop strategy plans for felons seeking entry into nursing homes. The Department currently performs similar assessments for felons seeking employment at nursing home facilities,” said Ralph Yaniz, State Director, AARP Illinois.

“House Bill 4785 guarantees certain common-sense safeguards to protect the 100,000 vulnerable adults who live in licensed facilities. As resident advocates, the Long Term Care Ombudsman Program applauds the Attorney General’s and Rep. Brosnahan and Sen. Maloney’s efforts to increase protections for residents,” said Sally Petrone, State Long Term Care Ombudsman.

“The road to this bill has not been easy. Without a model to work from, we have had to create this process from scratch. However, despite the challenges we’ve faced, my commitment to the issue and the commitment of those I stand with today is firm and unwavering,” Madigan said. “I urge the Governor to make Illinois the leader in protecting vulnerable adults by signing HB 4785.”

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[Return to May 2006 Press Releases](https://illinoisattorneygeneral.gov/pressroom/2006_05/20060509.html)