

# Home Health, Home Services, and Home Nursing Agency

## LICENSING ACT AMENDED!

### Hospital & Nursing Home Referrals Must Go to Licensed Home Care Agencies

Change to take effect  
**January 1, 2018**

On August 11, 2017, the Home Health, Home Services, and Home Nursing Agency Licensing Act was amended (Public Act 100-0099) to require health care facilities and providers in Illinois that receive funds from the State, to refer patients or their families only to agencies licensed under the Home Health, Home Services, and Home Nursing Act.

This new requirement applies to:

- Hospitals licensed under the Illinois Hospital Licensing Act,
- Hospitals operated under the University of Illinois Hospital Act,
- Nursing homes operated under the Nursing Home Care Act, and
- All other health care providers licensed under any Act of the State of Illinois.

### Why a change?

Simply put, this change to the law aims to further insure discharged patients receive reputable referrals for their in-home care.

Some Illinois hospitals already list only licensed agencies on their referral lists — a sensible, prudent best practice in the interest of quality patient care. Unfortunately this practice is not universally followed.

Despite the fact that private duty home care licensure has been in place for nearly 10 years, many hospitals and nursing homes in Illinois continue to include non-licensed home care agencies on their home care agency referral lists. This puts patients at risk when they return home—the patient and family are not guaranteed trained caregivers with background checks, worker coverage by Workers Compensation and liability insurance, and ongoing supervision and oversight by the agency.

### What should licensed home care agencies do now?

#### INQUIRE

Meet with or call the hospital and nursing home discharge planners you work with and ask if it is their facility's policy to refer patients and their families only to licensed home care agencies. Let them know you are properly licensed and belong on their list. Are they certain every agency on their list is duly licensed by the Illinois Department of Public Health?

#### EDUCATE

If the answer to your questions is no or unsure, provide your contacts with information about the change to the law. Tell them where IDPH website lists licensed home care agencies ([data.illinois.gov/dataset/406idph\\_home\\_services\\_directory](http://data.illinois.gov/dataset/406idph_home_services_directory)) and how to contact IDPH if they have questions about an agency's licensing status. Offer to help.

Unlicensed home care agencies should take immediate steps to become properly licensed. Then, with license in hand, contact your hospital and nursing home referral sources and make sure they know you are licensed and belong on their list. Contact IDPH at 217-782-7412 if you have any questions about whether you should be licensed.