

1 TITLE 77: PUBLIC HEALTH
2 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
3 SUBCHAPTER c: HOSPITALS AND OUTPATIENT SERVICES CARE FACILITIES
4

5 PART 280
6 HOSPICE PROGRAMS
7

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9

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- 44 280.4030 Hospice Residence Nursing Care and Assistance in Activities of Daily Living
- 45 [280.4035](#) [Essential Support Persons](#)
- 46 280.4040 Hospice Residence Operational Requirements

47
48 AUTHORITY: Implementing and authorized by the Hospice Program Licensing Act [210 ILCS
49 60].

50
51 SOURCE: Adopted at 2 Ill. Reg. 31, p. 77, effective August 2, 1978; emergency amendment at
52 3 Ill. Reg. 38, p. 314, effective September 7, 1979, for a maximum of 150 days; amended at 3 Ill.
53 Reg. 40, p. 153, effective October 6, 1979; emergency amendment at 4 Ill. Reg. 18, p. 129,
54 effective April 21, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 40, p. 56, effective
55 September 23, 1980; emergency amendment at 6 Ill. Reg. 5855, effective April 28, 1982, for a
56 maximum of 150 days; amended at 6 Ill. Reg. 11006, effective August 30, 1982; amended at 7
57 Ill. Reg. 13665, effective October 4, 1983; codified at 8 Ill. Reg. 16829; amended at 9 Ill. Reg.
58 4836, effective April 1, 1985; amended at 14 Ill. Reg. 2382, effective February 15, 1990;
59 amended at 15 Ill. Reg. 5376, effective May 1, 1991; amended at 18 Ill. Reg. 2414, effective
60 January 22, 1994; emergency amendments at 20 Ill. Reg. 467, effective January 1, 1996, for a
61 maximum of 150 days; amended at 20 Ill. Reg. 10003, effective July 15, 1996; Part repealed and
62 new Part adopted at 22 Ill. Reg. 10625, effective June 1, 1998; emergency amendment at 23 Ill.
63 Reg. 6913, effective June 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13232,
64 effective October 20, 1999; amended at 28 Ill. Reg. 14121, effective October 15, 2004; amended
65 at 32 Ill. Reg. 2330, effective January 23, 2008; amended at 34 Ill. Reg. 7936, effective May 25,
66 2010; amended at 44 Ill. Reg. 12582, effective July 2, 2020; amended at 48 Ill. Reg. 2531,
67 effective January 30, 2024; Subchapter b recodified at 49 Ill. Reg. 1640; amended at 49 Ill. Reg.
68 11518, effective August 29, 2025; amended at 50 Ill. Reg. _____, effective _____.

69
70 SUBPART A: LICENSURE

71
72 **Section 280.1010 Incorporated and Referenced Materials**

- 73
- 74 a) The following regulations and standards are incorporated by reference in this Part:
 - 75
 - 76 1) Private and Professional Association Standards
 - 77 The following standards of the National Fire Protection Association
 - 78 (NFPA), which may be obtained from the National Fire Protection
 - 79 Association, 1 Batterymarch Park, Quincy, Massachusetts 02169:
 - 80
 - 81 A) For new facilities, NFPA 101, Life Safety Code (2012), Chapter
 - 82 18, New Health Care Occupancies and all appropriate references
 - 83 under Chapter 2, Referenced Publications.
 - 84
 - 85 B) For existing facilities, NFPA 101, Life Safety Code (2012),
 - 86 Chapter 19, Existing Health Care Occupancies, and all appropriate

87 references under Chapter 2, Referenced Publications.

88
89 C) NFPA 101-A (2013), Guide on Alternative Approaches to Life
90 Safety.

91
92 2) Federal Regulations

93
94 A) Department of Health and Human Services
95 Centers for Medicare and Medicaid Services
96 42 CFR 2.52 ([Scientific](#) Research) (October 1, ~~2024~~~~2022~~).

97
98 B) Department of Health and Human Services
99 Food and Drug Administration
100 21 CFR 178.1010 (Sanitizing Solutions) (April 1, ~~2025~~~~2023~~).

101
102 C) Department of Health and Human Services
103 Centers for Medicare and Medicaid Services
104 42 CFR 418 (Hospice Care) (October 1, ~~2024~~~~2022~~).

105
106 b) All incorporations by reference of federal regulations and the standards of
107 nationally recognized organizations refer to the regulations and standards on the
108 date specified and do not include any amendments or editions subsequent to the
109 date specified.

110
111 c) The following State and federal statutes are referenced in this Part:

112
113 1) Hospital Licensing Act [210 ILCS 85];

114
115 2) Nursing Home Care Act [210 ILCS 45];

116
117 3) Illinois Administrative Procedure Act [5 ILCS 100];

118
119 4) Health Care Worker Background Check Act [225 ILCS 46];

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121 5) Nurse Practice Act [225 ILCS 65];

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123 6) Home Health, Home Services, and Home Nursing Agency Licensing Act
124 [210 ILCS 55];

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126 7) General Not For Profit Corporation Act of 1986 [805 ILCS 105];

127
128 8) Counties Code [55 ILCS 5];

129

- 130 9) Medical Practice Act of 1987 [225 ILCS 60];
- 131
- 132 10) Clinical Social Work and Social Work Practice Act [225 ILCS 20];
- 133
- 134 11) Alzheimer's Disease and Related Dementias Services Act [410 ILCS 406];
- 135 ~~and~~
- 136
- 137 12) Medicare Prescription Drug Improvement and Modernization Act of 2003
- 138 (42 U.S.C. 1395w-101); ~~and~~;
- 139
- 140 13) Essential Support Person Act [210 ILCS 175].
- 141

142 d) The following Department of Public Health rules are referenced in this Part:

- 143
- 144 1) Essential Support Person Code (77 Ill. Adm. Code 50):
- 145
- 146 2) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code
- 147 100);
- 148
- 149 3) Home Health, Home Services, and Home Nursing Agency Code (77 Ill.
- 150 Adm. Code 245);
- 151
- 152 4) Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code
- 153 300);
- 154
- 155 5) Control of Notifiable Diseases and Conditions Code (77 Ill. Adm. Code
- 156 690);
- 157
- 158 6) Food Code (77 Ill. Adm. Code 750);
- 159
- 160 7) Illinois Plumbing Code (77 Ill. Adm. Code 890);
- 161
- 162 8) Health Care Worker Background Check Code (77 Ill. Adm. Code 955);
- 163 and
- 164
- 165 9) Alzheimer's Disease and Related Dementias Services Code (77 Ill. Adm.
- 166 Code 973).
- 167

168 (Source: Amended at 50 Ill. Reg. _____, effective _____)

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170 SUBPART C: INPATIENT CARE

171 Section 280.4035 Essential Support Persons

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A hospice residence facility shall comply with the Essential Support Person Act and the Essential Support Person Code.

(Source: Added at 50 Ill. Reg. _____, effective _____)