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Home of the Illinois Election Integrity Program

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RETURN SERVICE REQUESTED



**Important
Election Information**





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September 16, 2026

Dear Administrator and/or Director,

You may recognize us from correspondence we have mailed to your facility in past election years. We are reaching out again to provide educational information to licensed facilities throughout Illinois regarding the legal requirements and safeguards governing voting by residents. Both Federal and State agencies have laws and guidance which affect voting.

We want to draw your attention to an important new CMS Quality & Safety Special Alert Memo, QSSAM-26-04-NH, all 3 pages of which are included in this packet.

Facilities that participate in Medicare and Medicaid must comply with federal Conditions of Participation and resident-rights requirements. CMS QSSAM-26-04-NH reinforces that residents retain the right to vote and the equal right to decline participation—and that facility staff may not interfere with, coerce, improperly influence, or take unauthorized voting action on behalf of a resident.

If you have received multiple copies of this packet, our data indicates that you may have multiple units such as Assisted Living, Memory Care, Rehabilitation, etc. Please pass additional packets along to your colleagues so they are also aware of this important information.

Since 2012, our organization has been committed to educating facilities such as yours about Illinois election integrity and voter-rights laws designed to protect every qualified voter's right to cast a ballot that is accessible, private, and free from undue influence.

Protecting Residents and the Integrity of the Election Process

The right to vote and the protection of election integrity are not competing objectives. Both are essential.

Residents of long-term-care facilities should be supported in exercising their right to vote, but assistance should reflect the resident's own decision and should never reflect the political preferences of facility staff, volunteers, family members, candidates, political organizations, or other individuals.

Facility personnel should therefore take particular care to avoid any appearance that a resident is being directed, pressured, or influenced in registering to vote, requesting a ballot, marking a ballot, or returning a ballot.

We are fortunate to have national partner organizations working with us to inform and educate interested parties. We encourage you to visit the Protect Vulnerable Voters website, a program of the non-partisan American Constitutional Rights Union: <https://protectvulnerablevoters.org>. The website contains resources intended to assist residents, families, administrators, and staff in understanding and protecting the voting rights of vulnerable residents. Enclosed with this letter are two available resources:

- “Facility-Director-Responsibilities”
- “Following-Laws-Protects-Everyone”

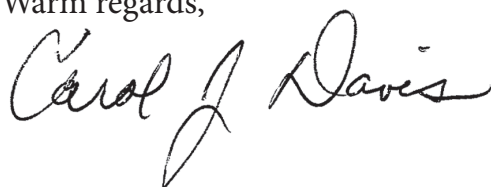
We encourage administrators to review these materials and consider making appropriate resources available to residents and staff.

In recent years, we have seen a marked increase in election volunteers and advocates for fair and honest elections joining these efforts. Many are family members, friends, guardians, and others who have a personal interest in protecting the voting rights of loved ones in long-term-care facilities. We can all be thankful that there are many more people paying attention to the protection of vulnerable voters.

As the election approaches, we encourage your facility to support every eligible resident’s legal right to vote while also protecting residents from undue influence, coercion, or improper voting activity. Appropriate safeguards protect not only the integrity of the election process, but also the dignity, autonomy, and legal rights of the residents entrusted to your care.

Thank you for your commitment to safeguarding the rights of your residents.

Warm regards,

A handwritten signature in black ink that reads "Carol J. Davis". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Carol J. Davis, Chair
Illinois Conservative Union
Director, Illinois Election Integrity Program
Enclosures

Please note: This information is provided for educational purposes only and is not intended to constitute legal advice. Election laws and regulations may change, and individual circumstances may vary. We recommend consulting with qualified legal counsel and/or the appropriate election authority regarding questions concerning your facility’s specific circumstances.

Recent CMS Guidance — July 20, 2026

On July 20, 2026, the Centers for Medicare & Medicaid Services (CMS) issued Quality & Safety Special Alert Memo QSSAM-26-04-NH, “Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care (LTC) Facilities.” CMS explained that the alert does not create new regulatory requirements; rather, it reinforces existing obligations applicable to Medicare/Medicaid-certified nursing facilities and skilled nursing facilities.

CMS reaffirmed that residents retain their constitutional and statutory rights, including both the right to vote and the right to decline to participate in elections. CMS further emphasized that federal regulations prohibit facilities and their staff from interfering with, coercing, discriminating against, or improperly influencing residents in the exercise of their rights.

CMS specifically reminded facilities that they may not engage in activities that violate federal or state election laws. Among the examples identified by CMS are:

- registering residents to vote without their knowledge or consent;
- completing a mail-in ballot on a resident’s behalf without authorization; and
- otherwise engaging in conduct that improperly interferes with a resident’s voting rights.

CMS also clarified that residents who require assistance with voting should have the option of receiving assistance from the person of their choosing, including their authorized representative. CMS encourages nursing homes to coordinate with state election officials and, where authorized by state law, to encourage the use of bipartisan election workers to facilitate voting without reliance on facility staff and thereby reduce the risk of undue influence.

CMS further states that, when a resident’s legal or civil rights related to voting change, the facility is expected to notify the resident’s authorized representative as provided by 42 C.F.R. § 483.10(g)(14).

The CMS alert follows reported allegations of unlawful interference with voting rights involving vulnerable residents in other states. CMS’s purpose, however, is not to discourage voting. It expressly reiterates the responsibility of nursing facilities to support residents’ participation in the democratic process while complying with applicable federal and state law and avoiding coercion or other violations of resident rights.

A copy of the CMS Special Alert—Nursing Homes dated July 20, 2026, is enclosed for your reference.

Illinois Law Specific Procedures

Illinois law provides specific procedures for voting in qualifying licensed facilities, including 10 ILCS 5/19-12.2. These procedures are intended to protect the voter while allowing eligible residents to exercise their right to vote.

Voter Eligibility

Not every resident of a licensed facility is necessarily eligible to vote in the precinct in which the facility is located. It is important that only individuals who are legally qualified to vote receive voting assistance or vote-by-mail ballots.

For example:

- A resident may use a facility as his or her voting residence if the facility is the resident's actual residence and the applicable residency requirements are satisfied.
- Illinois law generally requires a voter to have resided at the address for at least 30 days before the election. Thus, a person who enters a facility shortly before an election does not automatically become eligible to vote in that facility's precinct.
- Illinois provides special procedures for voting by physically incapacitated electors at certain licensed facilities, including procedures under 10 ILCS 5/19-12.2.
- Non-citizens are not eligible to vote in Illinois elections.

We encourage facility administrators and staff to be vigilant regarding any attempt to improperly register a resident, obtain a ballot for an individual who is not legally qualified to vote, or interfere with a resident's voting decision.

If you observe conduct that appears questionable, please contact your local election authority. Your local election authority can be identified through the Illinois State Board of Elections website:

<https://www.elections.il.gov/ElectionOperations/ElectionAuthorities.aspx>

Voting at Long-Term-Care Facilities

Illinois law establishes a specific process for voting by physically incapacitated electors at qualifying licensed facilities. Under 10 ILCS 5/19-12.2, voting at such facilities is conducted through procedures involving election judges designated by the election authority. The statute provides important safeguards, including bipartisan participation and procedures governing assistance to voters.

A voter who requires assistance may receive assistance in accordance with Illinois law. The important distinction is between assisting a voter and influencing a voter. Assistance should enable the resident to express his or her own choices; it should never substitute another person's preferences for those of the voter.

Illinois law also provides specific requirements concerning assisted voting. A voter who requires assistance because of blindness, physical disability, or inability to read, write, or speak English may, upon request, receive assistance from two election judges of different political parties or, subject to the statutory requirements, from a person of the voter's

choice. A person providing assistance must follow the prescribed requirements and may not influence the voter's choices. See 10 ILCS 5/17-14.

Accordingly, facility administrators and staff should not assume that they may administer the voting process, replace election judges, or handle official election materials simply as a matter of convenience. The statutory procedures and the instructions of the appropriate election authority should be followed.

Vote by Mail

Some residents may choose to vote by mail. Illinois law establishes specific safeguards for this process as well.

For example, the vote-by-mail application requires the voter to certify that he or she is lawfully entitled to vote and has resided at the stated address for at least 30 days.

Under 10 ILCS 5/17-14, Illinois law also provides that:

- If a physically incapacitated voter requires assistance marking a vote-by-mail ballot, the ballot envelope contains a certification identifying the person providing the assistance.
- Vote-by-mail instructions must explain how voting assistance is to be provided and warn that falsifying or soliciting another person to falsify eligibility is subject to penalties.
- The election authority maintains a record of vote-by-mail voters, including the name of a person who assisted a voter when the ballot envelope indicates that assistance was provided.
- Illinois law permits a physically incapacitated voter to receive assistance when physical incapacity necessitates it, but the assistance must be consistent with the statutory requirements and the voter's own instructions.

Residential facility directors: YOUR RESPONSIBILITIES



Vote fraud is a crime, often punishable by steep fines and jail time. You are responsible for educating staff on the voting laws in your state as well as the criminal penalties for vote fraud. You can be held responsible for their failure to comply with laws.



Be aware of, and enforce, ballot assistance laws.



Know which residents are designated "non compos mentis" in your facility and ensure you know state and federal voting policies for those individuals. Staff should not mark ballots for residents who cannot express that they wish to vote in the election, or cannot express their preferred candidate.



Enact protocols at your facility to protect the residents from possible vote suppression and fraud.



Teach staff that it's never "ok" to tell a resident who to vote for. It's illegal.



Protect your staff members from outside groups that offer financial compensation for ballot trafficking.



Create systems - which you monitor - to protect the chain of custody of absentee ballots.



Discuss with your staff how to protect absentee ballots from ballot harvesters / traffickers and create systems to protect your residents' ballots.



Establish a training program to teach staff what constitutes vote suppression and fraud and create policies to prevent these crimes at your facility.

CENTER FOR VULNERABLE VOTERS

www.centerforvulnerablevoters.org

888-820-VOTE **Vote Fraud Hotline**



FOLLOWING VOTING LAWS PROTECTS YOU AND YOUR PATIENTS



DOWNLOAD YOUR STATE LAWS HERE

There have been instances of facility staff being convicted and jailed for forging signatures on absentee ballot request forms and filling out ballots for patients with dementia.

It's important you follow federal and state voting laws. Answering the questions below can help you learn how well you know the voting laws in your area:

- Can I get in trouble for assisting a resident completing a ballot?
- Has someone asked me to suggest a candidate to my residents? Because that's not ok.
- Does the law allow me to collect or submit ballots for multiple people?
- What do I do if asked to assist with a ballot for someone who doesn't know their name or the names of the candidates running?
- Am I making sure ballots are stored securely?
- Am I being careful not to tell residents which candidates to vote for?

CENTER FOR VULNERABLE VOTERS

www.centerforvulnerablevoters.org

888-820-VOTE **Vote Fraud Hotline**



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SIDE 2 OF “Following-Laws-Protects-Everyone” POSTER

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C2-21-16
Baltimore, Maryland 21244-1850



Center for Clinical Standards and Quality/QUALITY & SAFETY SPECIAL ALERT MEMO

Ref: QSSAM-26-04-[NH]

SPECIAL ALERT-NURSING HOMES

DATE: July 20, 2026
TO: State Survey Agency Directors
FROM: Director, Quality, Safety & Oversight Group (QSOG)
SUBJECT: **Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care (LTC) Facilities**

Memorandum Summary

Nursing facilities and skilled nursing facilities are reminded of their obligation to promote participation in the democratic process for residents while complying with all applicable federal and state laws and regulations to avoid instances of coercion or otherwise violating resident rights or voter protection laws.

This memorandum does not create new regulatory requirements and does not update the State Operations Manual. It reinforces existing obligations.

CMS is rescinding the October 2020 and September 2024 Quality, Safety and Oversight (QSO) memoranda entitled “Compliance with Residents’ Rights Requirement related to Nursing Home Residents’ Right to Vote” (QSO-21-02-NH and [QSO-24-21-NH](#)). In this QSSAM, we reiterate nursing homes’ responsibility to preserve residents’ rights to vote and to promote participation in the democratic process. However, this activity should not violate federal or state voting laws, and CMS is reminding facilities and their staff that they cannot engage in inappropriate coercion or other violations of residents’ rights.

Residents in nursing facilities retain all constitutional and statutory rights enjoyed by other citizens, including the right to vote and the right to decline participation in elections.¹ Federal regulations prohibit facilities and their staff from interfering with, coercing, or improperly influencing the exercise of resident rights.²

¹ 42 C.F.R. § 483.10(b)

² 42 C.F.R. § 483.10(b), (e), (g)

Background:

Unfortunately, in recent years, we have become aware of several allegations of instances in which resident rights were unlawfully violated.

In Texas a social worker was charged with 134 felony counts involving election fraud for unlawfully registering residents of the Mexia State Supported Living Center. Texas Attorney General Paxton said, “Registering citizens to vote or to obtain mail ballots without their consent is illegal. It is particularly offensive when individuals purport to be champions for disability rights, when in reality they are abusing our most vulnerable citizens in order to gain access to their ballots and amplify their own political voice.”³

In Wisconsin, Sheriff Christopher Schmaling and Sgt. Michael Luell investigated a case in which they alleged that eight men and women whose mental capacities had diminished due to age or disease sent mail-in ballots from Ridgewood Care Center.⁴

Discussion:

Following these and other incidents, CMS is providing clarification to Medicare/Medicaid certified nursing facilities and skilled nursing facilities (often referred to as nursing homes) of their existing requirement to affirm and support the right of residents to vote:

§483.10(b) Exercise of Rights: The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.

§483.10(b)(1) The facility must ensure that the resident can exercise his or her rights without interference, coercion, discrimination, or reprisal from the facility.

§483.10(b)(2) The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising his or her rights and to be supported by the facility in the exercise of his or her rights as required under this subpart.

CMS would also like to clarify that nursing homes may not engage in any activity that violates federal or state voting laws. This includes actions like registering residents as voters without their knowledge or consent or completing a mail-in ballot on a resident’s behalf without authorization. Additionally, pursuant to 42 C.F.R. § 483.10(g)(14), CMS expects facilities to notify the resident’s authorized representative when a change occurs in the resident’s legal or civil rights related to voting.

Residents who require assistance to vote should have the option of receiving assistance from the person of their choosing and should be offered the option of receiving assistance from their authorized representative. CMS also encourages nursing homes to coordinate with state election officials to encourage the use of bipartisan election workers, where authorized by state law, to facilitate voting in long-term care facilities without reliance on facility staff, thereby reducing the risk of undue influence wherever possible.

³ <https://www.texasattorneygeneral.gov/news/releases/limestone-county-social-worker-charged-134-felony-counts-involving-election-fraud?>

⁴ https://kenoshanews.com/eight-cases-of-election-fraud-at-racine-county-nursing-home-sheriff-schmaling-says/article_762f8e77-e707-54e8-9d6d-26183fa5c38b.html?mode=nowapp

CMS MEMORANDUM PAGE 3

Nursing home residents or their representatives who believe their rights under these regulations have been violated can file a complaint with their State Survey Agency, here:

<https://www.cms.gov/Medicare/Provider-Enrollment-andCertification/SurveyCertificationGenInfo/Downloads/Complaintcontacts.pdf>

Allegations of voter coercion or intimidation can also be referred to the Department of Justice for filing voting complaints with the Civil Rights Division by calling 800-253-3931, emailing voting.section@usdoj.gov or by submitting an online form.

Quick Reference Chart: Rescinded Guidance Compared to Current Guidance

NOTE: The chart below was created using artificial intelligence. This information is provided for educational purposes only and is not intended to constitute legal advice. Election laws and regulations may change, and individual circumstances may vary. We recommend consulting with qualified legal counsel and/or the appropriate election authority regarding questions concerning your facility's specific circumstances.

	Rescinded Guidance		CURRENT GUIDANCE
	QSO-21-02-NH (Oct. 2020)	QSO-24-21-NH (Sept. 2024)	QSSAM-26-04-NH (July 2026)
Framing/title	Compliance with Residents' Rights re: Right to Vote	Same title, reissued as a reminder	"Protecting the Voting Rights and Autonomy " of vulnerable residents
Primary emphasis	Ensuring COVID-era visitor restrictions didn't block residents from voting	Reaffirming the 2020 guidance ahead of the 2024 election	Preventing coercion, unauthorized registration, and unauthorized ballot completion by staff/others
Core regulatory cites	§483.10(b), (b)(1), (b)(2), (g)(7), (h)(2)	Same core cites	Same core cites (§483.10(b), (b)(1), (b)(2)) plus explicit reference to §483.10(e) and (g) generally, and new citation to §483.10(g)(14) (notice of change in legal/civil rights)
What facilities are told to do	Have a voting plan; support absentee/mail-in voting; arrange transportation to polls/drop boxes; maintain social distancing while transporting	Same as 2020 — have a plan, support mail/absentee voting, transportation, coordinate with state mobile-polling programs	Support the resident's right to vote or decline to vote ; let the resident choose who assists them (including their authorized representative); notify the authorized representative of changes in voting-related legal/civil rights
New affirmative prohibition	Not specified beyond general non-interference	Not specified beyond general non-interference	Explicitly bars facilities from registering residents to vote without consent or completing a mail-in ballot on a resident's behalf without authorization
Bipartisan/election-official involvement	Encourages coordination with state mobile-polling programs (bipartisan teams)	Same	Same idea, but framed as a way to reduce reliance on facility staff and reduce risk of undue influence, not just as an access measure
Motivating context	COVID-19 visitor restrictions limiting outside voting assistance	Upcoming November 2024 election	Named enforcement cases: a Texas social worker charged with 134 felony counts for registering residents without consent; a Wisconsin (Racine County) case involving mail-in ballots allegedly sent by cognitively impaired residents
Complaint pathway	State Survey Agency complaint line	Same, plus mention of DOJ	Same — State Survey Agency and DOJ Civil Rights Division (phone/email/online form)
New regulatory requirements created?	No — reminder of existing rules	No — reminder of existing rules	Explicitly states it creates no new regulatory requirements and does not update the State Operations Manual
Status as of today	Rescinded 7/20/2026	Rescinded 7/20/2026	Current, effective immediately