



Rep. Jeanne M Ives

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LRB100 04026 MJP 25565 a

1 AMENDMENT TO HOUSE BILL 2286

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2286 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Ambulatory Surgical Treatment Center Act is  
5 amended by changing Section 6 as follows:

6 (210 ILCS 5/6) (from Ch. 111 1/2, par. 157-8.6)

7 Sec. 6. Upon receipt of an application for a license, the  
8 Director may deny the application for any of the following  
9 reasons:

10 (1) Conviction of the applicant, or if the applicant is  
11 a firm, partnership or association, of any of its members,  
12 or if a corporation, of any of its officers or directors,  
13 or of the person designated to manage or supervise the  
14 facility, of a felony, or of 2 or more misdemeanors  
15 involving moral turpitude, as shown by a certified copy of  
16 the record of the court of conviction, or, in the case of

1 the conviction of a misdemeanor by a court not of record,  
2 as shown by other evidence, if the Director determines,  
3 after investigation, that such person has not been  
4 sufficiently rehabilitated to warrant the public trust; or  
5 other satisfactory evidence that the moral character of the  
6 applicant, or manager, or supervisor of the facility is not  
7 reputable;

8 (2) The licensure status or record of the applicant, or  
9 if the applicant is a firm, partnership or association, of  
10 any of its members, or if a corporation, of any of its  
11 officers or directors, or of the person designated to  
12 manage or supervise the facility, from any other state  
13 where the applicant has done business in a similar capacity  
14 indicates that granting a license to the applicant would be  
15 detrimental to the interests of the public; or

16 (3) The applicant has insufficient financial or other  
17 resources to operate and conduct the facility in accordance  
18 with the requirements of this Act and the minimum  
19 standards, rules and regulations promulgated thereunder.

20 The Director shall only issue a license if he finds that  
21 the applicant facility complies with this Act and the rules,  
22 regulations and standards promulgated pursuant thereto and:

23 (a) is under the medical supervision of one or more  
24 physicians;

25 (b) permits a surgical procedure to be performed only  
26 by a physician, podiatric physician, or dentist who at the

1 time is privileged to have his patients admitted by himself  
2 or an associated physician ~~and is himself privileged to~~  
3 ~~perform surgical procedures in at least one Illinois~~  
4 ~~hospital; and~~

5 (c) maintains adequate medical records for each  
6 patient.

7 A license, unless sooner suspended or revoked, shall be  
8 renewable annually upon approval by the Department and payment  
9 of a license fee of \$300. Each license shall be issued only for  
10 the premises and persons named in the application and shall not  
11 be transferable or assignable. The licenses shall be posted in  
12 a conspicuous place on the licensed premises. A placard or  
13 registry of all physicians on staff in the facility shall be  
14 centrally located and available for inspection to any  
15 interested person. The Department may, either before or after  
16 the issuance of a license, request the cooperation of the State  
17 Fire Marshal. The report and recommendations of this agency  
18 shall be in writing and shall state with particularity its  
19 findings with respect to compliance or noncompliance with such  
20 minimum standards, rules and regulations.

21 The Director may issue a provisional license to any  
22 ambulatory surgical treatment center which does not  
23 substantially comply with the provisions of this Act and the  
24 standards, rules and regulations promulgated by virtue thereof  
25 provided that he finds that such ambulatory surgical treatment  
26 center will undertake changes and corrections which upon

1 completion will render the ambulatory surgical treatment  
2 center in substantial compliance with the provisions of this  
3 Act, and the standards, rules and regulations adopted  
4 hereunder, and provided that the health and safety of the  
5 patients of the ambulatory surgical treatment center will be  
6 protected during the period for which such provisional license  
7 is issued. The Director shall advise the licensee of the  
8 conditions under which such provisional license is issued,  
9 including the manner in which the facilities fail to comply  
10 with the provisions of the Act, standards, rules and  
11 regulations, and the time within which the changes and  
12 corrections necessary for such ambulatory surgical treatment  
13 center to substantially comply with this Act, and the  
14 standards, rules and regulations of the Department relating  
15 thereto shall be completed.

16 A person or facility not licensed under this Act or the  
17 Hospital Licensing Act shall not hold itself out to the public  
18 as a "surgery center" or as a "center for surgery".

19 (Source: P.A. 98-214, eff. 8-9-13.)".