

1 AN ACT concerning emergency services.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Emergency Medical Services (EMS) Systems  
5 Act is amended by changing Section 32.5 as follows:

6 (210 ILCS 50/32.5)

7 Sec. 32.5. Freestanding Emergency Center;--demonstration  
8 program.

9 (a) The Department shall issue an annual Freestanding  
10 Emergency Center (FEC) license to any facility that:

11 (1) is located: (i)(A) in a municipality with a  
12 population of 75,000 ~~60,000~~ or fewer inhabitants; (B)  
13 within 15 miles of the hospital that owns or controls the  
14 FEC; and (C) within 10 miles of the Resource Hospital  
15 affiliated with the FEC as part of the EMS System; or  
16 (ii) either (A) in a municipality that has a hospital  
17 that has been providing emergency services but is  
18 expected to close by the end of 1997 and or (B) in a  
19 county with a population of more than 350,000 but less  
20 than 525,000 ~~500,000~~ inhabitants; ~~(iii)-within-15-miles~~  
21 ~~of-the-hospital-that-owns-or-controls-the-FEC;--and--(iv)~~  
22 ~~within--10-miles-of-the-Resource-Hospital-affiliated-with~~  
23 ~~the-FEC-as-part-of-the-EMS-System;~~

24 (2) is wholly owned or controlled by an Associate  
25 or Resource Hospital, but is not a part of the hospital's  
26 physical plant;

27 (3) meets the standards for licensed FECs, adopted  
28 by rule of the Department, including, but not limited to:

29 (A) facility design, specification, operation,  
30 and maintenance standards;

31 (B) equipment standards; and

1                   (C) the number and qualifications of emergency  
2                   medical personnel and other staff, which must  
3                   include at least one board certified emergency  
4                   physician present at the FEC 24 hours per day.

5                   (4) limits its participation in the EMS System  
6                   strictly to receiving a limited number of BLS runs by  
7                   emergency medical vehicles according to protocols  
8                   developed by the Resource Hospital within the FEC's  
9                   designated EMS System and approved by the Project Medical  
10                  Director and the Department;

11                  (5) provides comprehensive emergency treatment  
12                  services, as defined in the rules adopted by the  
13                  Department pursuant to the Hospital Licensing Act, 24  
14                  hours per day, on an outpatient basis;

15                  (6) provides an ambulance and maintains on site  
16                  ambulance services staffed with paramedics 24 hours per  
17                  day;

18                  (7) maintains helicopter landing capabilities  
19                  approved by appropriate State and federal authorities;

20                  (8) complies with all State and federal patient  
21                  rights provisions, including, but not limited to, the  
22                  Emergency Medical Treatment Act and the federal Emergency  
23                  Medical Treatment and Active Labor Act;

24                  (9) maintains a communications system that is fully  
25                  integrated with its Resource Hospital within the FEC's  
26                  designated EMS System;

27                  (10) reports to the Department any patient  
28                  transfers from the FEC to a hospital within 48 hours of  
29                  the transfer plus any other data determined to be  
30                  relevant by the Department;

31                  (11) submits to the Department, on a quarterly  
32                  basis, the FEC's morbidity and mortality rates for  
33                  patients treated at the FEC and other data determined to  
34                  be relevant by the Department;

1           (12) does not describe itself or hold itself out to  
2 the general public as a full service hospital or hospital  
3 emergency department in its advertising or marketing  
4 activities;

5           (13) complies with any other rules adopted by the  
6 Department under this Act that relate to FECs;

7           (14) passes the Department's site inspection for  
8 compliance with the FEC requirements of this Act;

9           (15) submits a copy of a certificate of need or  
10 other permit issued by the Illinois Health Facilities  
11 Planning Board indicating that the facility that will  
12 house the proposed FEC complies with State health  
13 planning laws; provided, however, that the Illinois  
14 Health Facilities Planning Board shall waive this  
15 certificate of need or permit requirement for any  
16 proposed FEC that, as of the effective date of this  
17 amendatory Act of 1996, meets the criteria for providing  
18 comprehensive emergency treatment services, as defined by  
19 the rules promulgated under the Hospital Licensing Act,  
20 but is not a licensed hospital;

21           (16) submits an application for designation as an  
22 FEC in a manner and form prescribed by the Department by  
23 rule; and

24           (17) pays the annual license fee as determined by  
25 the Department by rule; and-

26           (18) participated in the demonstration program.

27           (b) The Department shall:

28           (1) annually inspect facilities of initial FEC  
29 applicants and licensed FECs, and issue annual licenses  
30 to or annually relicense FECs that satisfy the  
31 Department's licensure requirements as set forth in  
32 subsection (a);

33           (2) suspend, revoke, refuse to issue, or refuse to  
34 renew the license of any FEC, after notice and an

1 opportunity for a hearing, when the Department finds that  
2 the FEC has failed to comply with the standards and  
3 requirements of the Act or rules adopted by the  
4 Department under the Act;

5 (3) issue an Emergency Suspension Order for any FEC  
6 when the Director or his or her designee has determined  
7 that the continued operation of the FEC poses an  
8 immediate and serious danger to the public health,  
9 safety, and welfare. An opportunity for a hearing shall  
10 be promptly initiated after an Emergency Suspension Order  
11 has been issued; and

12 (4) adopt rules as needed to implement this  
13 Section.

14 ~~(e) -- The FEC demonstration program shall be conducted for~~  
15 ~~an initial review period concluding on September 17, 2001.~~  
16 ~~If, by that date, the Department determines that the~~  
17 ~~demonstration program is operating in a manner consistent~~  
18 ~~with the purposes of this Act, the program shall continue and~~  
19 ~~sunset on September 17, 2003. The Department shall submit a~~  
20 ~~report concerning the effectiveness of the demonstration~~  
21 ~~program to the General Assembly by September 17, 2002.~~

22 ~~An FEC license issued pursuant to this Section shall~~  
23 ~~expire upon the termination of the demonstration program.~~

24 (Source: P.A. 90-67, eff. 7-8-97; 91-385, eff. 7-30-99.)