

# HB3772



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3772

Introduced 5/5/2011, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

410 ILCS 522/10-20  
410 ILCS 522/10-35  
410 ILCS 522/10-55 new

Amends the Illinois Adverse Health Care Events Reporting Law of 2005. Includes additional reporting provisions if a health care facility implements a corrective action plan to address the findings of a root cause analysis of an adverse health care event. Sets forth provisions concerning the actions that the Department of Public Health shall take concerning an adverse health care event. Sets forth a provision concerning violations of the Law.

LRB097 11799 RPM 55040 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 5. The Illinois Adverse Health Care Events  
5 Reporting Law of 2005 is amended by changing Sections 10-20 and  
6 10-35 and by adding Section 10-55 as follows:

7 (410 ILCS 522/10-20)

8 Sec. 10-20. Root cause analysis; corrective action plan.  
9 Following the occurrence of an adverse health care event, the  
10 health care facility must conduct a root cause analysis of the  
11 event. Following the analysis, the health care facility must  
12 (i) implement a corrective action plan to address the findings  
13 of the analysis and (A) report to the Department any changes in  
14 the corrective action plan originally submitted to the  
15 Department, (B) report to the Department the result of the  
16 implementation of the corrective action plan or plans, and (C)  
17 report to the Department any revisions to the corrective action  
18 plan or plans necessary to overcome deficiencies or the failure  
19 of that original plan or (ii) report to the Department any  
20 reasons for not taking corrective action. A copy of the  
21 findings of the root cause analysis and a copy of the original  
22 corrective action plan must be filed with the Department within  
23 90 days after the submission of the report to the Department

1 under Section 10-15. Revisions to the original corrective  
2 action plan must be filed with the Department within 15 days  
3 after the revision.

4 (Source: P.A. 94-242, eff. 7-18-05.)

5 (410 ILCS 522/10-35)

6 Sec. 10-35. Analysis of reports; response to reports;  
7 communication of findings. The Department shall do the  
8 following:

9 (1) Analyze adverse event reports, corrective action  
10 plans, and findings of the root cause analyses to determine  
11 patterns of systemic failure in the health care system and  
12 successful methods to correct these failures.

13 (1.2) Determine if the corrective action plans have  
14 been implemented and resulted in successful corrections.

15 (1.3) Require the submission of changes to plans of  
16 correction that have not been successful in correcting  
17 systemic failures.

18 (1.4) Determine repeated adverse event reports and  
19 require root cause analyses and plans of correction to  
20 prevent recurrences.

21 (1.5) Determine if certain adverse event reports  
22 constitute a substantial threat to the general public  
23 health and welfare concerning which the Department shall  
24 issue public health warnings.

25 (2) Communicate to individual health care facilities

1 the Department's conclusions, if any, regarding an adverse  
2 event reported by the health care facility.

3 (3) Communicate to relevant health care facilities any  
4 recommendations for corrective action resulting from the  
5 Department's analysis of submissions from facilities.

6 (4) Publish an annual report that does the following:

7 (i) Describes, by institution, adverse health care  
8 events reported.

9 (ii) Summarizes, in aggregate form, the corrective  
10 action plans and findings of root cause analyses  
11 submitted by health care facilities.

12 (iii) Describes adopted recommendations for  
13 quality improvement practices.

14 (Source: P.A. 94-242, eff. 7-18-05.)

15 (410 ILCS 522/10-55 new)

16 Sec. 10-55. Violations. The Department may issue a notice  
17 of violation to any facility that does not comply with this  
18 Law. Notwithstanding the provisions of Section 10-25 of this  
19 Law, the identity of the facility and its violation of the Law  
20 shall be subject to public disclosure. Standards and procedures  
21 governing such notices and disclosure shall be determined by  
22 administrative rule.