



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5476

by Rep. Edward J. Acevedo

SYNOPSIS AS INTRODUCED:

820 ILCS 175/35
820 ILCS 175/48 new
815 ILCS 505/2RRR new

Amends the Day and Temporary Labor Services Act. Requires all day and temporary labor service agencies to post informational posters in English and Spanish concerning workers' compensation fraud and provides that the Department of Labor shall specify the contents of the posters. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a chiropractic physician must inquire of each patient or prospective patient, by means of the patient intake form or otherwise, whether he or she is a day or temporary laborer who contracts for employment with a day and temporary labor service agency. Provides that, if the patient or prospective patient answers in the affirmative, the chiropractic physician must: obtain the name and address of the day and temporary labor service agency and maintain that information on file for 5 years; provide to the patient or prospective patient a written notice concerning workers' compensation fraud; limit any transportation fee charged to the patient or prospective patient for an appointment or treatment; and provide to the patient or prospective patient written notices regarding false advertising and treatment and billing. Provides that all advertisements by chiropractic physicians must be in accordance with the new provisions. Provides that it is an unlawful practice for a chiropractic physician to violate any of the new provisions.

LRB098 19498 JLS 54673 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

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

4 Section 5. The Day and Temporary Labor Services Act is
5 amended by changing Section 35 and by adding Section 48 as
6 follows:

7 (820 ILCS 175/35)

8 Sec. 35. Public Access Area. Each day and temporary labor
9 service agency shall provide adequate seating in the public
10 access area of the offices of the agency. The public access
11 area shall be the location for the notices required by Sections
12 ~~Section~~ 45 and 48 of this Act and any other State or federally
13 mandated posting. The public access area shall allow for access
14 to restrooms and water.

15 (Source: P.A. 94-511, eff. 1-1-06.)

16 (820 ILCS 175/48 new)

17 Sec. 48. Informational posters; workers' compensation
18 fraud. All day and temporary labor service agencies shall post
19 informational posters in English and Spanish concerning
20 workers' compensation fraud. The Department shall specify the
21 contents of the posters.

1 Section 10. The Consumer Fraud and Deceptive Business
2 Practices Act is amended by adding Section 2RRR as follows:

3 (815 ILCS 505/2RRR new)

4 Sec. 2RRR. Chiropractic physicians; day or temporary
5 laborers.

6 (a) In this Section, "day and temporary labor service
7 agency" and "day or temporary laborer" have the meanings
8 ascribed to those terms in Section 5 of the Day and Temporary
9 Labor Services Act.

10 (b) A chiropractic physician must inquire of each patient
11 or prospective patient, by means of the patient intake form or
12 otherwise, whether he or she is a day or temporary laborer who
13 contracts for employment with a day and temporary labor service
14 agency. If the patient or prospective patient answers in the
15 affirmative, the chiropractic physician must:

16 (1) obtain the name and address of the day and
17 temporary labor service agency and maintain that
18 information on file for 5 years;

19 (2) provide to the patient or prospective patient a
20 written notice in English and Spanish concerning workers'
21 compensation fraud, specifically disclosing the
22 requirements of Section 25.5 of the Workers' Compensation
23 Act and require the patient or prospective patient to sign
24 a form stating that he or she has read and understood the
25 notice. A copy of the written notice shall be given to the

1 patient or prospective patient to keep in his or her
2 possession should additional questions arise;

3 (3) limit any transportation fee charged to the patient
4 or prospective patient for an appointment or treatment to
5 not more than \$50 one way or \$100 round trip;

6 (4) provide to the patient or prospective patient a
7 written notice in English and Spanish that discloses that
8 false advertising targeting patients or prospective
9 patients or presenting falsehoods about Illinois workers'
10 compensation law is prohibited; and

11 (5) provide to the patient or prospective patient a
12 written statement confirming that the patient or
13 prospective patient will only receive treatment that is a
14 genuine medical necessity and that the patient or
15 prospective patient has the right to review all billing
16 codes with his or her health insurance company or workers'
17 compensation benefit provider to ensure that he or she is
18 only receiving treatment that is medically necessary.

19 (c) All advertisements by chiropractic physicians must be
20 in accordance with this Section.

21 (d) It is an unlawful practice under this Act for a
22 chiropractic physician to violate any provision of this
23 Section.