

AN ACT concerning regulation.

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

Section 5. The Hospital Licensing Act is amended by changing Section 6.08 as follows:

(210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)

Sec. 6.08.

(a) Every hospital shall provide notification as required in this Section to police officers, firefighters, emergency medical technicians, private emergency medical services providers, and ambulance personnel who have provided or are about to provide transport services, emergency care, or life support services to a patient who has been diagnosed as having a dangerous communicable or infectious disease. Such notification shall not include the name of the patient, and the emergency services provider agency and any person receiving such notification shall treat the information received as a confidential medical record.

(b) The Department shall utilize the Centers for Disease Control and Prevention's list of potentially life-threatening infectious diseases to determine the diseases for which ~~establish by regulation a list of those communicable reportable diseases and conditions for which~~ notification shall be

provided.

(c) The hospital shall send the letter of notification no later than 48 hours ~~within 72 hours~~ after a confirmed diagnosis of any of the bloodborne communicable diseases listed by the Department pursuant to subsection (b), ~~except confirmed diagnoses of Acquired Immunodeficiency Syndrome (AIDS).~~ The ~~If there is a confirmed diagnosis of AIDS,~~ the hospital shall attempt to make verbal communication, followed by written ~~send the letter of~~ notification only if the police officers, firefighters, emergency medical technicians, private emergency medical services providers, or ambulance personnel have indicated both verbally and on the ambulance run sheet that a reasonable possibility exists that they have had blood or body fluid contact with the patient, or if hospital personnel providing the notification have reason to know of a possible exposure.

(c-5) The hospital shall send the letter of notification no later than 48 hours after a confirmed diagnosis of any of the airborne or droplet-transmitted communicable diseases listed by the Department pursuant to subsection (b) and the hospital shall attempt to make verbal communication, followed by written notification.

(d) Notification letters shall be sent to the designated officer ~~contact~~ at the municipal or private provider agencies listed on the ambulance run sheet. Except in municipalities with a population over 1,000,000, a list attached to the

ambulance run sheet must contain all municipal and private provider agency personnel who have provided any pre-hospital care immediately prior to transport. In municipalities with a population over 1,000,000, the ambulance run sheet must contain the company number or unit designation number for any fire department personnel who have provided any pre-hospital care immediately prior to transport. The letter shall state the names of crew members listed on the attachment to the ambulance run sheet and the name of the communicable disease diagnosed, but shall not contain the patient's name. Upon receipt of such notification letter, the applicable private provider agency or the designated infectious disease control officer of a municipal fire department or fire protection district shall contact all personnel involved in the pre-hospital or inter-hospital care and transport of the patient. Such notification letter may, but is not required to, consist of the following form:

NOTIFICATION LETTER

(NAME OF HOSPITAL)

(ADDRESS)

TO:..... (Name of Organization)

FROM:.....(Infection Control Coordinator)

DATE:.....

As required by Section 6.08 of the Illinois Hospital Licensing Act, .....(name of hospital) is hereby providing notification that the following crew members or agencies

transported or provided pre-hospital care to a patient on .....  
(date), and the transported patient was later diagnosed as  
having .....(name of communicable disease): .....(list of crew  
members if known). The Hospital Licensing Act requires you to  
maintain this information as a confidential medical record.  
Disclosure of this information may therefore result in civil  
liability for the individual or company breaching the patient's  
confidentiality, or both.

If you have any questions regarding this patient, please  
contact me at .....(telephone number), between .....(hours).  
Questions regarding exposure or the financial aspects of  
obtaining medical care should be directed to your employer.

(e) Upon discharge of a patient with a communicable disease  
to emergency personnel, the hospital shall notify the emergency  
personnel of appropriate precautions against the communicable  
disease, but shall not identify the name of the disease.

(f) The hospital may, in its discretion, take any measures  
in addition to those required in this Section to notify police  
officers, firefighters, emergency medical technicians, and  
ambulance personnel of possible exposure to any communicable  
disease. However, in all cases this information shall be  
maintained as a confidential medical record.

(g) Any person providing or failing to provide notification  
under the protocol required by this Section shall have immunity  
from any liability, either criminal or civil, that might result  
by reason of such action or inaction, unless such action or

inaction is willful.

(h) Any person who willfully fails to provide any notification required pursuant to an applicable protocol which has been adopted and approved pursuant to this Section commits a petty offense, and shall be subject to a fine of \$200 for the first offense, and \$500 for a second or subsequent offense.

(i) Nothing in this Section shall preclude a civil action by a firefighter, emergency medical technician, or ambulance crew member against an emergency services provider agency, municipal fire department, or fire protection district that fails to inform the member in a timely fashion of the receipt of a notification letter.

(Source: P.A. 92-363, eff. 1-1-02.)

Section 99. Effective date. This Act takes effect upon becoming law.