

# HB5238



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5238

by Rep. Robert W. Pritchard

### SYNOPSIS AS INTRODUCED:

210 ILCS 85/10.8a new

Amends the Hospital Licensing Act. Provides that every physician employed by a hospital or hospital affiliate shall have specified rights relating to matters including compensation, academic freedom, medical records, evaluation of clinical activity, performance of activities outside of defined employed time, conflict of interest disclosures, resource management, and patient advocacy.

LRB100 18034 MJP 33222 b

A BILL FOR

1 AN ACT concerning physician rights.

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

4 Section 5. The Hospital Licensing Act is amended by adding  
5 Section 10.8a as follows:

6 (210 ILCS 85/10.8a new)

7 Sec. 10.8a. Employed Physician's Bill of Rights.

8 (a) This Section may be referred to as the Employed  
9 Physician's Bill of Rights.

10 (b) Every physician employed by a hospital or hospital  
11 affiliate shall have the right:

12 (1) to compensation based on the totality of the  
13 physician's activities for the hospital or hospital  
14 affiliate employing the physician, including, but not  
15 limited to, educational endeavors and preparation,  
16 committee participation, student and resident activities,  
17 and administrative responsibilities;

18 (2) to academic freedom, without censorship in  
19 clinical research or academic pursuits;

20 (3) to not be solely responsible for data entry,  
21 coding, and management of the use of electronic medical  
22 record systems;

23 (4) to evaluation of clinical activity through the peer

1 review process and to be judged only by clinicians and not  
2 corporate executives;

3 (5) to perform activities outside of defined employed  
4 time boundaries solely at the prerogative of the individual  
5 physician and not the hospital or hospital affiliate  
6 employing the physician, unless the activities directly  
7 conflict with or increase risk for the hospital or hospital  
8 affiliate;

9 (6) to have conflict of interest disclosures limited to  
10 the physician's activities that directly affect the  
11 hospital or hospital affiliate employing the physician and  
12 the disclosures should only be made to entities that  
13 directly reimburse the physician during his or her period  
14 of employment;

15 (7) to have resources appropriately allocated by the  
16 hospital or hospital affiliate employing the physician for  
17 continuing medical education as defined by State licensure  
18 guidelines; and

19 (8) to be legally empowered to be a patient advocate  
20 and to be allowed to adhere to the spirit of the  
21 Hippocratic Oath allowing patient privacy,  
22 confidentiality, and continuity of a patient's health care  
23 and dignity.