

**100TH GENERAL ASSEMBLY****State of Illinois****2017 and 2018****SB2296**

Introduced 1/10/2018, by Sen. Julie A. Morrison

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2310/2310-600

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall establish a registry, to be known as the Advance Directives Registry, under which residents of the State may submit specified advance directive forms to the Department. Provides that information in the Registry shall be made available to hospitals licensed under the Hospital Licensing Act or organized under the University of Illinois Hospital Act. Provides that in the absence of gross negligence or willful misconduct, the Department and its employees are immune from any civil or criminal liability in connection with the creation and maintenance of the Registry. Provides that the Department shall adopt any rules necessary to implement these provisions and shall provide information regarding use of the Registry on its website. Provides that a person who knowingly submits a document to the Registry without authorization or assists in such submission shall be guilty of a Class A misdemeanor. Contains other provisions concerning the Registry.

LRB100 13924 MJP 28660 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by changing Section 2310-600 as follows:

7 (20 ILCS 2310/2310-600)

8 Sec. 2310-600. Advance directive information.

9 (a) The Department of Public Health shall prepare and  
10 publish the summary of advance directives law, as required by  
11 the federal Patient Self-Determination Act, and related forms.  
12 Publication may be limited to the World Wide Web. The summary  
13 required under this subsection (a) must include the Department  
14 of Public Health Uniform POLST form.

15 (b) The Department of Public Health shall publish Spanish  
16 language versions of the following:

17 (1) The statutory Living Will Declaration form.

18 (2) The Illinois Statutory Short Form Power of Attorney  
19 for Health Care.

20 (3) The statutory Declaration of Mental Health  
21 Treatment Form.

22 (4) The summary of advance directives law in Illinois.

23 (5) The Department of Public Health Uniform POLST form.

1 Publication may be limited to the World Wide Web.

2 (b-5) In consultation with a statewide professional  
3 organization representing physicians licensed to practice  
4 medicine in all its branches, statewide organizations  
5 representing physician assistants, advanced practice nurses,  
6 nursing homes, registered professional nurses, and emergency  
7 medical systems, and a statewide organization representing  
8 hospitals, the Department of Public Health shall develop and  
9 publish a uniform form for practitioner cardiopulmonary  
10 resuscitation (CPR) or life-sustaining treatment orders that  
11 may be utilized in all settings. The form shall meet the  
12 published minimum requirements to nationally be considered a  
13 practitioner orders for life-sustaining treatment form, or  
14 POLST, and may be referred to as the Department of Public  
15 Health Uniform POLST form. This form does not replace a  
16 physician's or other practitioner's authority to make a  
17 do-not-resuscitate (DNR) order.

18 (c) (Blank).

19 (d) The Department of Public Health shall publish the  
20 Department of Public Health Uniform POLST form reflecting the  
21 changes made by this amendatory Act of the 98th General  
22 Assembly no later than January 1, 2015.

23 (e) The Department of Public Health shall establish a  
24 registry, to be known as the Advance Directives Registry, under  
25 which residents of the State of Illinois may submit the  
26 following documents or copies thereof to the Department of

1 Public Health:

2 (1) the statutory Living Will Declaration form;

3 (2) the Illinois Statutory Short Form Power of Attorney  
4 for Health Care;

5 (3) the statutory Declaration of Mental Health  
6 Treatment Form;

7 (4) the Department of Public Health Uniform POLST form;  
8 and

9 (5) any other advance directive form the Department of  
10 Public Health may deem appropriate.

11 Information in the Advance Directives Registry shall be  
12 made available to hospitals licensed under the Hospital  
13 Licensing Act or organized under the University of Illinois  
14 Hospital Act. Hospitals may rely on information obtained from  
15 the Advance Directives Registry as an accurate copy of the  
16 documents filed with the Advance Directives Registry. Nothing  
17 in this subsection shall limit the right to amend or revoke an  
18 advance directive previously filed with the Advance Directives  
19 Registry.

20 The Department of Public Health shall adopt any rules  
21 necessary to implement this amendatory Act of the 100th General  
22 Assembly and shall provide information regarding use of the  
23 Advance Directives Registry on its website.

24 In the absence of gross negligence or willful misconduct,  
25 the Department of Public Health and its employees are immune  
26 from any civil or criminal liability in connection with the

1 creation and maintenance of the Advance Directives Registry.

2 A person who knowingly submits a document to the Advance  
3 Directives Registry without authorization or assists in such  
4 submission shall be guilty of a Class A misdemeanor.

5 (Source: P.A. 98-1110, eff. 8-26-14; 99-319, eff. 1-1-16;  
6 99-581, eff. 1-1-17.)