



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3065

Introduced 2/19/2021, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-50.10 new

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 require health care facilities and health care professionals to conform to specified requirements regarding patient care during a public health emergency. Requires the Department to adopt rules necessary to effectuate the provisions. Effective immediately.

LRB102 14534 CPF 19887 b

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 adding Section 2310-50.10 as follows:

7 (20 ILCS 2310/2310-50.10 new)

8 Sec. 2310-50.10. Public health emergencies; requirements
9 for health care facilities and health care professionals;
10 rules.

11 (a) During a public health emergency, the Department, for
12 such period as the public health emergency exists, shall
13 require health care facilities and health care professionals
14 to:

15 (1) permit a patient who is eligible for intensive
16 care unit services and other critical care services during
17 ordinary circumstances to remain eligible for such
18 services irrespective of the patient's age, disability, or
19 other factors pertaining to the patient's identity;

20 (2) provide patients individualized assessments based
21 on the best available objective medical evidence;

22 (3) ensure that no patient is denied care based on
23 stereotypes, assessments of the patient's quality of life,

1 or assessments related to whether the patient is disabled
2 or other factors pertaining to the patient's identity;

3 (4) ensure that decisions on the allocation of health
4 care resources are not based on and, to the extent that it
5 is possible, made with knowledge of a patient's age, race,
6 creed, color, national origin, nationality, ancestry,
7 marital status, domestic partnership or civil union
8 status, sex, affectional or sexual orientation, gender
9 identity or expression, disability, place of residence, or
10 socioeconomic or health insurance status;

11 (5) distribute patients and critical care resources,
12 including ventilators, among health care facilities in the
13 State in a manner that reduces shortages of health care
14 resources; and

15 (6) implement and complete such training for health
16 care professionals and other staff as is necessary to
17 effectuate the provisions of this Section.

18 (b) The Department shall adopt rules necessary to
19 effectuate the provisions of this Section.

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