



Rep. Mary E. Flowers

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10300HB0003ham003

LRB103 03564 LNS 58000 a

1 AMENDMENT TO HOUSE BILL 3

2 AMENDMENT NO. _____. Amend House Bill 3, AS AMENDED, with
3 reference to page and line numbers of House Amendment No. 2, by
4 replacing line 24 on page 17 through line 13 on page 22 with:

5 "Section 25. The Medical Patient Rights Act is amended by
6 changing Section 3.4 and by adding Section 3.5 as follows:

7 (410 ILCS 50/3.4)

8 Sec. 3.4. Rights of patients ~~women~~; pregnancy and
9 childbirth.

10 (a) In addition to any other right provided under this
11 Act, every patient ~~woman~~ has the following rights with regard
12 to pregnancy and childbirth:

13 (1) The right to receive health care before, during,
14 and after pregnancy and childbirth.

15 (2) The right to receive care for the patient and the
16 patient's newborn ~~her and her infant~~ that is consistent

1 with all clinical consensus documents, committee
2 statements, committee opinions, and obstetric care
3 consensus documents published or reaffirmed by the
4 American College of Obstetricians and Gynecologists on or
5 after January 1, 2019 ~~generally accepted medical~~
6 ~~standards.~~

7 (3) The right to choose a maternity care provider from
8 the full range of providers available in the patient's
9 community ~~certified nurse midwife or physician as her~~
10 ~~maternity care professional.~~

11 (4) The right to choose the patient's ~~her~~ birth
12 setting from the full range of birthing options available
13 in the patient's ~~her~~ community.

14 (5) The right to leave the patient's ~~her~~ maternity
15 care professional and select another if the patient ~~she~~
16 becomes dissatisfied with the quality of the care provided
17 ~~her care, except as otherwise provided by law.~~

18 (6) The right to receive information about the names
19 of those health care professionals involved in the
20 patient's ~~her~~ care and the care of the patient's newborn.

21 (7) The right to privacy and confidentiality of
22 records, except as provided by law.

23 (8) The right to receive information concerning the
24 patient's ~~her~~ condition and proposed treatment, including
25 methods of relieving pain.

26 (9) The right to ~~accept or~~ refuse any treatment, ~~to~~

1 ~~the extent medically possible.~~

2 (10) The right to be informed if ~~her~~ caregivers wish
3 to enroll the patient ~~her~~ or the patient's ~~her~~ infant in a
4 research study in accordance with Section 3.1 of this Act.

5 (11) The right to access the patient's own ~~her~~ medical
6 records in accordance with Section 8-2001 of the Code of
7 Civil Procedure.

8 (12) The right to receive information in a language in
9 which the patient ~~she~~ can communicate in accordance with
10 federal law.

11 (13) The right to receive emotional and physical
12 support during labor and birth.

13 (14) The right to freedom of movement during labor and
14 to give birth in the position of the patient's ~~her~~ choice,
15 to the extent medically possible ~~within generally accepted~~
16 ~~medical standards.~~

17 (15) The right to contact with the patient's ~~her~~
18 newborn, except where necessary care must be provided to
19 the patient ~~mother~~ or infant.

20 (16) The right to receive information about
21 breastfeeding.

22 (17) The right to decide, in consultation
23 ~~collaboratively~~ with the patient's caregivers, when the
24 patient and the patient's newborn ~~she and her baby~~ will
25 leave the birth site for home, based on their conditions
26 and circumstances.

1 (18) The right to be treated with respect at all times
2 before, during, and after pregnancy by her health care
3 professionals involved in the patient's care or in the
4 care of the patient's newborn.

5 (19) The right of each patient, regardless of source
6 of payment, to examine and receive a reasonable
7 explanation of the patient's ~~her~~ total bill for services
8 rendered by the patient's ~~her~~ maternity care professional
9 or health care provider, including itemized charges for
10 specific services received. Each maternity care
11 professional or health care provider shall be responsible
12 only for a reasonable explanation of those specific
13 services provided by the maternity care professional or
14 health care provider.

15 (b) The Department of Public Health, Department of
16 Healthcare and Family Services, Department of Children and
17 Family Services, and Department of Human Services shall post,
18 either by physical or electronic means, information about
19 these rights on their publicly available websites. Every
20 health care provider, day care center licensed under the Child
21 Care Act of 1969, Head Start, and community center shall post
22 information about these rights in a prominent place and on
23 their websites, if applicable.

24 (c) The Department of Public Health shall adopt rules to
25 implement this Section.

26 (d) Nothing in this Section or any rules adopted under

1 subsection (c) shall be construed to require a physician,
2 health care professional, hospital, hospital affiliate, or
3 health care provider to provide care inconsistent with
4 generally accepted medical standards or available capabilities
5 or resources.

6 (Source: P.A. 101-445, eff. 1-1-20; 102-4, eff. 4-27-21.)

7 (410 ILCS 50/3.5 new)

8 Sec. 3.5. Disclosure of medical information.
9 Notwithstanding any other provision of law, and except as
10 otherwise provided in this Section, a patient has the right
11 for a physician, health care provider, health services
12 corporation, or insurance company to administer any of the
13 following medical tests without disclosing the results of the
14 test or tests to a State or local law enforcement agency or the
15 Department of Children and Family Services:

16 (1) Any verbal screening or questioning concerning the
17 drug or alcohol use of a pregnant or postpartum person.

18 (2) Any toxicology test administered to a person who
19 is pregnant or has given birth within the previous 12
20 weeks.

21 (3) Any toxicology test administered to a newborn.

22 A physician, health care provider, health services
23 corporation, or insurance company who administers a medical
24 test described under paragraph (1), (2), or (3), may disclose
25 the results of the test if a law enforcement agency has

1 successfully obtained and furnished a search warrant issued
2 under Section 108-3 of the Code of Criminal Procedure of
3 1963."