



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2216

Introduced 2/8/2023, by Rep. Michael J. Kelly

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-6-12 new
70 ILCS 705/11n new

Amends the Fire Protection District Act and the Illinois Municipal Code. Provides that municipalities and fire protection districts may fix, charge, and collect reasonable fees from independent living facilities, assisted living facilities, nursing home facilities, or other similar congregate care facilities for all lift-assist services rendered by a fire department, firefighter, emergency response unit, public safety employee of a municipal department, or fire protection district in connection with providing lift-assist services to a patient or other individual. Provides that the fees may not exceed the actual personnel and equipment costs for all services rendered by the municipality or fire protection district in connection with providing lift-assist services to a patient or other individual. Provides that the municipality or fire protection district may require a facility to enter into a written agreement to reimburse the municipality or fire protection district for the costs of injuries suffered at the facility by municipal or district personnel when providing lift-assist services, including, but not limited to, costs of medical treatment, payments required under the Public Safety Employee Benefits Act, disability payments, and pension payments for injured personnel, but provides that any such agreement does not relieve the municipality or fire protection district of a statutory or contractual obligation it may have to its employees for an injury suffered relating to lift-assist services rendered. Contains provisions relating to third-party claims and intervention in a suit relating to claims made by a municipal or fire protection district employee for an injury suffered relating to lift-assist services rendered.

LRB103 00169 AWJ 45175 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 adding Section 11-6-12 as follows:

6 (65 ILCS 5/11-6-12 new)

7 Sec. 11-6-12. Reimbursement for lift-assist services.

8 (a) For purposes of this Section, the term "lift-assist
9 service" means a response to an independent living facility,
10 assisted living facility, nursing home facility, or other
11 similar congregate care facility, by personnel of a fire
12 department, emergency response unit, or a unit of another
13 public safety department providing automatic or mutual aid to
14 a municipality, in order to lift a patient or other individual
15 from the individual's current position to a desired position.
16 "Lift-assist service" does not include a response to a request
17 for transportation via ambulance to a health care facility.

18 (b) Municipalities may fix, charge, and collect reasonable
19 fees from independent living facilities, assisted living
20 facilities, nursing home facilities, or other similar
21 congregate care facilities for all lift-assist services
22 rendered by a municipal fire department, firefighter,
23 emergency response unit, or public safety employee of a

1 municipal department in connection with providing lift-assist
2 services to a patient or other individual.

3 The fees may not exceed the actual personnel and equipment
4 costs for all services rendered by the municipality in
5 connection with providing lift-assist services to a patient or
6 other individual.

7 (c) In addition to the fees imposed, a municipality may
8 require an independent living facility, assisted living
9 facility, nursing home facility, or other similar congregate
10 care facility to which a municipal department may respond to a
11 request in which lift-assist services may be rendered to enter
12 into a written agreement to reimburse the municipality for the
13 costs of injuries suffered at the facility by municipal
14 personnel when providing lift-assist services, including, but
15 not limited to, costs of medical treatment, payments required
16 under the Public Safety Employee Benefits Act, disability
17 payments, and pension payments for injured municipal
18 personnel. Any such agreement does not relieve the
19 municipality of a statutory or contractual obligation it may
20 have to its employees for an injury suffered relating to
21 lift-assist services rendered. An independent living facility,
22 assisted living facility, nursing home facility, or other
23 similar congregate care facility with which the municipality
24 has such an agreement may not be made a third party to claims
25 made by a municipal employee and does not have the right to
26 intervene in claims made by the municipal employee for an

1 injury suffered relating to lift-assist services rendered.

2 Section 10. The Fire Protection District Act is amended by
3 adding Section 11n as follows:

4 (70 ILCS 705/11n new)

5 Sec. 11n. Reimbursement for lift-assist services.

6 (a) For purposes of this Section, the term "lift-assist
7 service" means a response to an independent living facility,
8 assisted living facility, nursing home facility, or other
9 similar congregate care facility, by personnel of a fire
10 protection district, in order to lift a patient or other
11 individual from the individual's current position to a desired
12 position. "Lift-assist service" does not include a response to
13 a request for transportation via ambulance to a health care
14 facility.

15 (b) A fire protection district may fix, charge, and
16 collect reasonable fees from independent living facilities,
17 assisted living facilities, nursing home facilities, or other
18 similar congregate care facilities for all lift-assist
19 services rendered by the fire protection district in
20 connection with providing lift-assist services to a patient or
21 other individual.

22 The fees may not exceed the actual personnel and equipment
23 costs for all services rendered by the fire protection
24 district in connection with providing lift-assist services to

1 a patient or other individual.

2 (c) In addition to the fees imposed, a fire protection
3 district may require an independent living facility, assisted
4 living facility, nursing home facility, or other similar
5 congregate care facility to which a fire protection district
6 may respond to a request in which lift-assist services may be
7 rendered to enter into a written agreement to reimburse the
8 fire protection district for the costs of injuries suffered at
9 the facility by fire protection district personnel when
10 providing lift-assist services, including, but not limited to,
11 costs of medical treatment, payments required under the Public
12 Safety Employee Benefits Act, disability payments, and pension
13 payments for injured fire protection district personnel. Any
14 such agreement does not relieve the fire protection district
15 of a statutory or contractual obligation it may have to its
16 employees for an injury suffered relating to lift-assist
17 services rendered. An independent living facility, assisted
18 living facility, nursing home facility, or other similar
19 congregate care facility with which the fire protection
20 district has such an agreement may not be made a third party to
21 claims made by a fire protection district employee and does
22 not have the right to intervene in claims made by the fire
23 protection district employee for an injury suffered relating
24 to lift-assist services rendered.