

1 AN ACT concerning health.

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

4 Section 5. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 103-472)

8 Sec. 7.5. Statutory exemptions. To the extent provided for  
9 by the statutes referenced below, the following shall be  
10 exempt from inspection and copying:

11 (a) All information determined to be confidential  
12 under Section 4002 of the Technology Advancement and  
13 Development Act.

14 (b) Library circulation and order records identifying  
15 library users with specific materials under the Library  
16 Records Confidentiality Act.

17 (c) Applications, related documents, and medical  
18 records received by the Experimental Organ Transplantation  
19 Procedures Board and any and all documents or other  
20 records prepared by the Experimental Organ Transplantation  
21 Procedures Board or its staff relating to applications it  
22 has received.

23 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating  
2 to known or suspected cases of sexually transmitted  
3 infection ~~transmissible disease~~ or any information the  
4 disclosure of which is restricted under the Illinois  
5 Sexually Transmitted Infection ~~Transmissible Disease~~  
6 Control Act.

7 (e) Information the disclosure of which is exempted  
8 under Section 30 of the Radon Industry Licensing Act.

9 (f) Firm performance evaluations under Section 55 of  
10 the Architectural, Engineering, and Land Surveying  
11 Qualifications Based Selection Act.

12 (g) Information the disclosure of which is restricted  
13 and exempted under Section 50 of the Illinois Prepaid  
14 Tuition Act.

15 (h) Information the disclosure of which is exempted  
16 under the State Officials and Employees Ethics Act, and  
17 records of any lawfully created State or local inspector  
18 general's office that would be exempt if created or  
19 obtained by an Executive Inspector General's office under  
20 that Act.

21 (i) Information contained in a local emergency energy  
22 plan submitted to a municipality in accordance with a  
23 local emergency energy plan ordinance that is adopted  
24 under Section 11-21.5-5 of the Illinois Municipal Code.

25 (j) Information and data concerning the distribution  
26 of surcharge moneys collected and remitted by carriers

1 under the Emergency Telephone System Act.

2 (k) Law enforcement officer identification information  
3 or driver identification information compiled by a law  
4 enforcement agency or the Department of Transportation  
5 under Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential  
7 health care facility resident sexual assault and death  
8 review team or the Executive Council under the Abuse  
9 Prevention Review Team Act.

10 (m) Information provided to the predatory lending  
11 database created pursuant to Article 3 of the Residential  
12 Real Property Disclosure Act, except to the extent  
13 authorized under that Article.

14 (n) Defense budgets and petitions for certification of  
15 compensation and expenses for court appointed trial  
16 counsel as provided under Sections 10 and 15 of the  
17 Capital Crimes Litigation Act (repealed). This subsection  
18 (n) shall apply until the conclusion of the trial of the  
19 case, even if the prosecution chooses not to pursue the  
20 death penalty prior to trial or sentencing.

21 (o) Information that is prohibited from being  
22 disclosed under Section 4 of the Illinois Health and  
23 Hazardous Substances Registry Act.

24 (p) Security portions of system safety program plans,  
25 investigation reports, surveys, schedules, lists, data, or  
26 information compiled, collected, or prepared by or for the

1 Department of Transportation under Sections 2705-300 and  
2 2705-616 of the Department of Transportation Law of the  
3 Civil Administrative Code of Illinois, the Regional  
4 Transportation Authority under Section 2.11 of the  
5 Regional Transportation Authority Act, or the St. Clair  
6 County Transit District under the Bi-State Transit Safety  
7 Act (repealed).

8 (q) Information prohibited from being disclosed by the  
9 Personnel Record Review Act.

10 (r) Information prohibited from being disclosed by the  
11 Illinois School Student Records Act.

12 (s) Information the disclosure of which is restricted  
13 under Section 5-108 of the Public Utilities Act.

14 (t) (Blank).

15 (u) Records and information provided to an independent  
16 team of experts under the Developmental Disability and  
17 Mental Health Safety Act (also known as Brian's Law).

18 (v) Names and information of people who have applied  
19 for or received Firearm Owner's Identification Cards under  
20 the Firearm Owners Identification Card Act or applied for  
21 or received a concealed carry license under the Firearm  
22 Concealed Carry Act, unless otherwise authorized by the  
23 Firearm Concealed Carry Act; and databases under the  
24 Firearm Concealed Carry Act, records of the Concealed  
25 Carry Licensing Review Board under the Firearm Concealed  
26 Carry Act, and law enforcement agency objections under the

1 Firearm Concealed Carry Act.

2 (v-5) Records of the Firearm Owner's Identification  
3 Card Review Board that are exempted from disclosure under  
4 Section 10 of the Firearm Owners Identification Card Act.

5 (w) Personally identifiable information which is  
6 exempted from disclosure under subsection (g) of Section  
7 19.1 of the Toll Highway Act.

8 (x) Information which is exempted from disclosure  
9 under Section 5-1014.3 of the Counties Code or Section  
10 8-11-21 of the Illinois Municipal Code.

11 (y) Confidential information under the Adult  
12 Protective Services Act and its predecessor enabling  
13 statute, the Elder Abuse and Neglect Act, including  
14 information about the identity and administrative finding  
15 against any caregiver of a verified and substantiated  
16 decision of abuse, neglect, or financial exploitation of  
17 an eligible adult maintained in the Registry established  
18 under Section 7.5 of the Adult Protective Services Act.

19 (z) Records and information provided to a fatality  
20 review team or the Illinois Fatality Review Team Advisory  
21 Council under Section 15 of the Adult Protective Services  
22 Act.

23 (aa) Information which is exempted from disclosure  
24 under Section 2.37 of the Wildlife Code.

25 (bb) Information which is or was prohibited from  
26 disclosure by the Juvenile Court Act of 1987.

1           (cc) Recordings made under the Law Enforcement  
2 Officer-Worn Body Camera Act, except to the extent  
3 authorized under that Act.

4           (dd) Information that is prohibited from being  
5 disclosed under Section 45 of the Condominium and Common  
6 Interest Community Ombudsperson Act.

7           (ee) Information that is exempted from disclosure  
8 under Section 30.1 of the Pharmacy Practice Act.

9           (ff) Information that is exempted from disclosure  
10 under the Revised Uniform Unclaimed Property Act.

11           (gg) Information that is prohibited from being  
12 disclosed under Section 7-603.5 of the Illinois Vehicle  
13 Code.

14           (hh) Records that are exempt from disclosure under  
15 Section 1A-16.7 of the Election Code.

16           (ii) Information which is exempted from disclosure  
17 under Section 2505-800 of the Department of Revenue Law of  
18 the Civil Administrative Code of Illinois.

19           (jj) Information and reports that are required to be  
20 submitted to the Department of Labor by registering day  
21 and temporary labor service agencies but are exempt from  
22 disclosure under subsection (a-1) of Section 45 of the Day  
23 and Temporary Labor Services Act.

24           (kk) Information prohibited from disclosure under the  
25 Seizure and Forfeiture Reporting Act.

26           (ll) Information the disclosure of which is restricted

1 and exempted under Section 5-30.8 of the Illinois Public  
2 Aid Code.

3 (mm) Records that are exempt from disclosure under  
4 Section 4.2 of the Crime Victims Compensation Act.

5 (nn) Information that is exempt from disclosure under  
6 Section 70 of the Higher Education Student Assistance Act.

7 (oo) Communications, notes, records, and reports  
8 arising out of a peer support counseling session  
9 prohibited from disclosure under the First Responders  
10 Suicide Prevention Act.

11 (pp) Names and all identifying information relating to  
12 an employee of an emergency services provider or law  
13 enforcement agency under the First Responders Suicide  
14 Prevention Act.

15 (qq) Information and records held by the Department of  
16 Public Health and its authorized representatives collected  
17 under the Reproductive Health Act.

18 (rr) Information that is exempt from disclosure under  
19 the Cannabis Regulation and Tax Act.

20 (ss) Data reported by an employer to the Department of  
21 Human Rights pursuant to Section 2-108 of the Illinois  
22 Human Rights Act.

23 (tt) Recordings made under the Children's Advocacy  
24 Center Act, except to the extent authorized under that  
25 Act.

26 (uu) Information that is exempt from disclosure under

1 Section 50 of the Sexual Assault Evidence Submission Act.

2 (vv) Information that is exempt from disclosure under  
3 subsections (f) and (j) of Section 5-36 of the Illinois  
4 Public Aid Code.

5 (ww) Information that is exempt from disclosure under  
6 Section 16.8 of the State Treasurer Act.

7 (xx) Information that is exempt from disclosure or  
8 information that shall not be made public under the  
9 Illinois Insurance Code.

10 (yy) Information prohibited from being disclosed under  
11 the Illinois Educational Labor Relations Act.

12 (zz) Information prohibited from being disclosed under  
13 the Illinois Public Labor Relations Act.

14 (aaa) Information prohibited from being disclosed  
15 under Section 1-167 of the Illinois Pension Code.

16 (bbb) Information that is prohibited from disclosure  
17 by the Illinois Police Training Act and the Illinois State  
18 Police Act.

19 (ccc) Records exempt from disclosure under Section  
20 2605-304 of the Illinois State Police Law of the Civil  
21 Administrative Code of Illinois.

22 (ddd) Information prohibited from being disclosed  
23 under Section 35 of the Address Confidentiality for  
24 Victims of Domestic Violence, Sexual Assault, Human  
25 Trafficking, or Stalking Act.

26 (eee) Information prohibited from being disclosed



1 under subsection (b) of Section 75 of the Domestic  
2 Violence Fatality Review Act.

3 (fff) Images from cameras under the Expressway Camera  
4 Act. This subsection (fff) is inoperative on and after  
5 July 1, 2025.

6 (ggg) Information prohibited from disclosure under  
7 paragraph (3) of subsection (a) of Section 14 of the Nurse  
8 Agency Licensing Act.

9 (hhh) Information submitted to the Illinois State  
10 Police in an affidavit or application for an assault  
11 weapon endorsement, assault weapon attachment endorsement,  
12 .50 caliber rifle endorsement, or .50 caliber cartridge  
13 endorsement under the Firearm Owners Identification Card  
14 Act.

15 (iii) Data exempt from disclosure under Section 50 of  
16 the School Safety Drill Act.

17 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
18 Section 30 of the Insurance Data Security Law.

19 (kkk) ~~(iii)~~ Confidential business information  
20 prohibited from disclosure under Section 45 of the Paint  
21 Stewardship Act.

22 (lll) (Reserved).

23 (mmm) ~~(iii)~~ Information prohibited from being  
24 disclosed under subsection (e) of Section 1-129 of the  
25 Illinois Power Agency Act.

26 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;

1 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
2 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
3 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
4 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
5 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;  
6 revised 1-2-24.)

7 (Text of Section after amendment by P.A. 103-472)

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26 (vv) Information that is exempt from disclosure under



1 subsections (f) and (j) of Section 5-36 of the Illinois  
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under  
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18 2605-304 of the Illinois State Police Law of the Civil  
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22 Victims of Domestic Violence, Sexual Assault, Human  
23 Trafficking, or Stalking Act.

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25 under subsection (b) of Section 75 of the Domestic  
26 Violence Fatality Review Act.

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2 Act. This subsection (fff) is inoperative on and after  
3 July 1, 2025.

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5 paragraph (3) of subsection (a) of Section 14 of the Nurse  
6 Agency Licensing Act.

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12 Act.

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14 the School Safety Drill Act.

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16 Section 30 of the Insurance Data Security Law.

17 (kkk) ~~(iii)~~ Confidential business information  
18 prohibited from disclosure under Section 45 of the Paint  
19 Stewardship Act.

20 (lll) ~~(iii)~~ Data exempt from disclosure under Section  
21 2-3.196 of the School Code.

22 (mmm) ~~(iii)~~ Information prohibited from being  
23 disclosed under subsection (e) of Section 1-129 of the  
24 Illinois Power Agency Act.

25 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
26 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.

1 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
2 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
3 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
4 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
5 103-580, eff. 12-8-23; revised 1-2-24.)

6 Section 10. The Department of Public Health Act is amended  
7 by changing Section 2 as follows:

8 (20 ILCS 2305/2) (from Ch. 111 1/2, par. 22)

9 Sec. 2. Powers.

10 (a) The State Department of Public Health has general  
11 supervision of the interests of the health and lives of the  
12 people of the State. It has supreme authority in matters of  
13 quarantine and isolation, and may declare and enforce  
14 quarantine and isolation when none exists, and may modify or  
15 relax quarantine and isolation when it has been established.  
16 The Department may adopt, promulgate, repeal and amend rules  
17 and regulations and make such sanitary investigations and  
18 inspections as it may from time to time deem necessary for the  
19 preservation and improvement of the public health, consistent  
20 with law regulating the following:

21 (1) Transportation of the remains of deceased persons.

22 (2) Sanitary practices relating to drinking water made  
23 accessible to the public for human consumption or for  
24 lavatory or culinary purposes.

1           (3) Sanitary practices relating to rest room  
2 facilities made accessible to the public or to persons  
3 handling food served to the public.

4           (4) Sanitary practices relating to disposal of human  
5 wastes in or from all buildings and places where people  
6 live, work or assemble.

7           The provisions of the Illinois Administrative Procedure  
8 Act are hereby expressly adopted and shall apply to all  
9 administrative rules and procedures of the Department of  
10 Public Health under this Act, except that Section 5-35 of the  
11 Illinois Administrative Procedure Act relating to procedures  
12 for rule-making does not apply to the adoption of any rule  
13 required by federal law in connection with which the  
14 Department is precluded by law from exercising any discretion.

15           All local boards of health, health authorities and  
16 officers, police officers, sheriffs and all other officers and  
17 employees of the state or any locality shall enforce the rules  
18 and regulations so adopted and orders issued by the Department  
19 pursuant to this Section.

20           The Department of Public Health shall conduct a public  
21 information campaign to inform Hispanic women of the high  
22 incidence of breast cancer and the importance of mammograms  
23 and where to obtain a mammogram. This requirement may be  
24 satisfied by translation into Spanish and distribution of the  
25 breast cancer summaries required by Section 2310-345 of the  
26 Department of Public Health Powers and Duties Law (20 ILCS

1 2310/2310-345). The information provided by the Department of  
2 Public Health shall include (i) a statement that mammography  
3 is the most accurate method for making an early detection of  
4 breast cancer, however, no diagnostic tool is 100% effective  
5 and (ii) instructions for performing breast self-examination  
6 and a statement that it is important to perform a breast  
7 self-examination monthly.

8 The Department of Public Health shall investigate the  
9 causes of dangerously contagious or infectious diseases,  
10 especially when existing in epidemic form, and take means to  
11 restrict and suppress the same, and whenever such disease  
12 becomes, or threatens to become epidemic, in any locality and  
13 the local board of health or local authorities neglect or  
14 refuse to enforce efficient measures for its restriction or  
15 suppression or to act with sufficient promptness or  
16 efficiency, or whenever the local board of health or local  
17 authorities neglect or refuse to promptly enforce efficient  
18 measures for the restriction or suppression of dangerously  
19 contagious or infectious diseases, the Department of Public  
20 Health may enforce such measures as it deems necessary to  
21 protect the public health, and all necessary expenses so  
22 incurred shall be paid by the locality for which services are  
23 rendered.

24 (b) Subject to the provisions of subsection (c), the  
25 Department may order a person or group of persons to be  
26 quarantined or isolated or may order a place to be closed and

1 made off limits to the public to prevent the probable spread of  
2 a dangerously contagious or infectious disease, including  
3 non-compliant tuberculosis patients, until such time as the  
4 condition can be corrected or the danger to the public health  
5 eliminated or reduced in such a manner that no substantial  
6 danger to the public's health any longer exists. Orders for  
7 isolation of a person or quarantine of a place to prevent the  
8 probable spread of a sexually transmitted infection  
9 ~~transmissible disease~~ shall be governed by the provisions of  
10 Section 7 of the Illinois Sexually Transmitted Infection  
11 ~~Transmissible Disease~~ Control Act and not this Section.

12 (c) Except as provided in this Section, no person or a  
13 group of persons may be ordered to be quarantined or isolated  
14 and no place may be ordered to be closed and made off limits to  
15 the public except with the consent of the person or owner of  
16 the place or upon the prior order of a court of competent  
17 jurisdiction. The Department may, however, order a person or a  
18 group of persons to be quarantined or isolated or may order a  
19 place to be closed and made off limits to the public on an  
20 immediate basis without prior consent or court order if, in  
21 the reasonable judgment of the Department, immediate action is  
22 required to protect the public from a dangerously contagious  
23 or infectious disease. In the event of an immediate order  
24 issued without prior consent or court order, the Department  
25 shall, as soon as practical, within 48 hours after issuing the  
26 order, obtain the consent of the person or owner or file a

1 petition requesting a court order authorizing the isolation or  
2 quarantine or closure. When exigent circumstances exist that  
3 cause the court system to be unavailable or that make it  
4 impossible to obtain consent or file a petition within 48  
5 hours after issuance of an immediate order, the Department  
6 must obtain consent or file a petition requesting a court  
7 order as soon as reasonably possible. To obtain a court order,  
8 the Department, by clear and convincing evidence, must prove  
9 that the public's health and welfare are significantly  
10 endangered by a person or group of persons that has, that is  
11 suspected of having, that has been exposed to, or that is  
12 reasonably believed to have been exposed to a dangerously  
13 contagious or infectious disease including non-compliant  
14 tuberculosis patients or by a place where there is a  
15 significant amount of activity likely to spread a dangerously  
16 contagious or infectious disease. The Department must also  
17 prove that all other reasonable means of correcting the  
18 problem have been exhausted and no less restrictive  
19 alternative exists. For purposes of this subsection, in  
20 determining whether no less restrictive alternative exists,  
21 the court shall consider evidence showing that, under the  
22 circumstances presented by the case in which an order is  
23 sought, quarantine or isolation is the measure provided for in  
24 a rule of the Department or in guidelines issued by the Centers  
25 for Disease Control and Prevention or the World Health  
26 Organization. Persons who are or are about to be ordered to be

1 isolated or quarantined and owners of places that are or are  
2 about to be closed and made off limits to the public shall have  
3 the right to counsel. If a person or owner is indigent, the  
4 court shall appoint counsel for that person or owner. Persons  
5 who are ordered to be isolated or quarantined or who are owners  
6 of places that are ordered to be closed and made off limits to  
7 the public, shall be given a written notice of such order. The  
8 written notice shall additionally include the following: (1)  
9 notice of the right to counsel; (2) notice that if the person  
10 or owner is indigent, the court will appoint counsel for that  
11 person or owner; (3) notice of the reason for the order for  
12 isolation, quarantine, or closure; (4) notice of whether the  
13 order is an immediate order, and if so, the time frame for the  
14 Department to seek consent or to file a petition requesting a  
15 court order as set out in this subsection; and (5) notice of  
16 the anticipated duration of the isolation, quarantine, or  
17 closure.

18 (d) The Department may order physical examinations and  
19 tests and collect laboratory specimens as necessary for the  
20 diagnosis or treatment of individuals in order to prevent the  
21 probable spread of a dangerously contagious or infectious  
22 disease. Physical examinations, tests, or collection of  
23 laboratory specimens must not be such as are reasonably likely  
24 to lead to serious harm to the affected individual. To prevent  
25 the spread of a dangerously contagious or infectious disease,  
26 the Department may, pursuant to the provisions of subsection



1 (c) of this Section, isolate or quarantine any person whose  
2 refusal of physical examination or testing or collection of  
3 laboratory specimens results in uncertainty regarding whether  
4 he or she has been exposed to or is infected with a dangerously  
5 contagious or infectious disease or otherwise poses a danger  
6 to the public's health. An individual may refuse to consent to  
7 a physical examination, test, or collection of laboratory  
8 specimens. An individual shall be given a written notice that  
9 shall include notice of the following: (i) that the individual  
10 may refuse to consent to physical examination, test, or  
11 collection of laboratory specimens; (ii) that if the  
12 individual consents to physical examination, tests, or  
13 collection of laboratory specimens, the results of that  
14 examination, test, or collection of laboratory specimens may  
15 subject the individual to isolation or quarantine pursuant to  
16 the provisions of subsection (c) of this Section; (iii) that  
17 if the individual refuses to consent to physical examination,  
18 tests, or collection of laboratory specimens and that refusal  
19 results in uncertainty regarding whether he or she has been  
20 exposed to or is infected with a dangerously contagious or  
21 infectious disease or otherwise poses a danger to the public's  
22 health, the individual may be subject to isolation or  
23 quarantine pursuant to the provisions of subsection (c) of  
24 this Section; and (iv) that if the individual refuses to  
25 consent to physical examinations, tests, or collection of  
26 laboratory specimens and becomes subject to isolation and

1 quarantine as provided in this subsection (d), he or she shall  
2 have the right to counsel pursuant to the provisions of  
3 subsection (c) of this Section. To the extent feasible without  
4 endangering the public's health, the Department shall respect  
5 and accommodate the religious beliefs of individuals in  
6 implementing this subsection.

7 (e) The Department may order the administration of  
8 vaccines, medications, or other treatments to persons as  
9 necessary in order to prevent the probable spread of a  
10 dangerously contagious or infectious disease. A vaccine,  
11 medication, or other treatment to be administered must not be  
12 such as is reasonably likely to lead to serious harm to the  
13 affected individual. To prevent the spread of a dangerously  
14 contagious or infectious disease, the Department may, pursuant  
15 to the provisions of subsection (c) of this Section, isolate  
16 or quarantine persons who are unable or unwilling to receive  
17 vaccines, medications, or other treatments pursuant to this  
18 Section. An individual may refuse to receive vaccines,  
19 medications, or other treatments. An individual shall be given  
20 a written notice that shall include notice of the following:  
21 (i) that the individual may refuse to consent to vaccines,  
22 medications, or other treatments; (ii) that if the individual  
23 refuses to receive vaccines, medications, or other treatments,  
24 the individual may be subject to isolation or quarantine  
25 pursuant to the provisions of subsection (c) of this Section;  
26 and (iii) that if the individual refuses to receive vaccines,

1 medications, or other treatments and becomes subject to  
2 isolation or quarantine as provided in this subsection (e), he  
3 or she shall have the right to counsel pursuant to the  
4 provisions of subsection (c) of this Section. To the extent  
5 feasible without endangering the public's health, the  
6 Department shall respect and accommodate the religious beliefs  
7 of individuals in implementing this subsection.

8 (f) The Department may order observation and monitoring of  
9 persons to prevent the probable spread of a dangerously  
10 contagious or infectious disease. To prevent the spread of a  
11 dangerously contagious or infectious disease, the Department  
12 may, pursuant to the provisions of subsection (c) of this  
13 Section, isolate or quarantine persons whose refusal to  
14 undergo observation and monitoring results in uncertainty  
15 regarding whether he or she has been exposed to or is infected  
16 with a dangerously contagious or infectious disease or  
17 otherwise poses a danger to the public's health. An individual  
18 may refuse to undergo observation and monitoring. An  
19 individual shall be given written notice that shall include  
20 notice of the following: (i) that the individual may refuse to  
21 undergo observation and monitoring; (ii) that if the  
22 individual consents to observation and monitoring, the results  
23 of that observation and monitoring may subject the individual  
24 to isolation or quarantine pursuant to the provisions of  
25 subsection (c) of this Section; (iii) that if the individual  
26 refuses to undergo observation and monitoring and that refusal

1 results in uncertainty regarding whether he or she has been  
2 exposed to or is infected with a dangerously contagious or  
3 infectious disease or otherwise poses a danger to the public's  
4 health, the individual may be subject to isolation or  
5 quarantine pursuant to the provisions of subsection (c) of  
6 this Section; and (iv) that if the individual refuses to  
7 undergo observation and monitoring and becomes subject to  
8 isolation or quarantine as provided in this subsection (f), he  
9 or she shall have the right to counsel pursuant to the  
10 provisions of subsection (c) of this Section.

11 (g) To prevent the spread of a dangerously contagious or  
12 infectious disease among humans, the Department may examine,  
13 test, disinfect, seize, or destroy animals or other related  
14 property believed to be sources of infection. An owner of such  
15 animal or other related property shall be given written notice  
16 regarding such examination, testing, disinfection, seizure, or  
17 destruction. When the Department determines that any animal or  
18 related property is infected with or has been exposed to a  
19 dangerously contagious or infectious disease, it may agree  
20 with the owner upon the value of the animal or of any related  
21 property that it may be found necessary to destroy, and in case  
22 such an agreement cannot be made, the animals or related  
23 property shall be appraised by 3 competent and disinterested  
24 appraisers, one to be selected by the Department, one by the  
25 claimant, and one by the 2 appraisers thus selected. The  
26 appraisers shall subscribe to an oath made in writing to

1 fairly value the animals or related property in accordance  
2 with the requirements of this Act. The oath, together with the  
3 valuation fixed by the appraisers, shall be filed with the  
4 Department and preserved by it. Upon the appraisal being made,  
5 the owner or the Department shall immediately destroy the  
6 animals by "humane euthanasia" as that term is defined in  
7 Section 2.09 of the Humane Care for Animals Act. Dogs and cats,  
8 however, shall be euthanized pursuant to the provisions of the  
9 Humane Euthanasia in Animal Shelters Act. The owner or the  
10 Department shall additionally, dispose of the carcasses, and  
11 disinfect, change, or destroy the premises occupied by the  
12 animals, in accordance with rules prescribed by the Department  
13 governing such destruction and disinfection. Upon his or her  
14 failure so to do or to cooperate with the Department, the  
15 Department shall cause the animals or related property to be  
16 destroyed and disposed of in the same manner, and thereupon  
17 the owner shall forfeit all right to receive any compensation  
18 for the destruction of the animals or related property. All  
19 final administrative decisions of the Department hereunder  
20 shall be subject to judicial review pursuant to the provisions  
21 of the Administrative Review Law, and all amendments and  
22 modifications thereof, and the rules adopted pursuant thereto.  
23 The term "administrative decision" is defined as in Section  
24 3-101 of the Code of Civil Procedure.

25 (h) To prevent the spread of a dangerously contagious or  
26 infectious disease, the Department, local boards of health,

1 and local public health authorities shall have emergency  
2 access to medical or health information or records or data  
3 upon the condition that the Department, local boards of  
4 health, and local public health authorities shall protect the  
5 privacy and confidentiality of any medical or health  
6 information or records or data obtained pursuant to this  
7 Section in accordance with federal and State law.  
8 Additionally, any such medical or health information or  
9 records or data shall be exempt from inspection and copying  
10 under the Freedom of Information Act. Other than a hearing for  
11 the purpose of this Act, any information, records, reports,  
12 statements, notes, memoranda, or other data in the possession  
13 of the Department, local boards of health, or local public  
14 health authorities shall not be admissible as evidence, nor  
15 discoverable in any action of any kind in any court or before  
16 any tribunal, board, agency, or person. The access to or  
17 disclosure of any of this information or data by the  
18 Department, a local board of health, or a local public  
19 authority shall not waive or have any effect upon its  
20 non-discoverability or non-admissibility. Any person,  
21 facility, institution, or agency that provides emergency  
22 access to health information and data under this subsection  
23 shall have immunity from any civil or criminal liability, or  
24 any other type of liability that might otherwise result by  
25 reason of these actions except in the event of willful and  
26 wanton misconduct. The privileged quality of communication

1 between any professional person or any facility shall not  
2 constitute grounds for failure to provide emergency access.  
3 Nothing in this subsection shall prohibit the sharing of  
4 information as authorized in Section 2.1 of this Act. The  
5 disclosure of any of this information, records, reports,  
6 statements, notes, memoranda, or other data obtained in any  
7 activity under this Act, except that necessary for the  
8 purposes of this Act, is unlawful, and any person convicted of  
9 violating this provision is guilty of a Class A misdemeanor.

10 (i) (A) The Department, in order to prevent and  
11 control disease, injury, or disability among citizens of  
12 the State of Illinois, may develop and implement, in  
13 consultation with local public health authorities, a  
14 Statewide system for syndromic data collection through the  
15 access to interoperable networks, information exchanges,  
16 and databases. The Department may also develop a system  
17 for the reporting of comprehensive, integrated data to  
18 identify and address unusual occurrences of disease  
19 symptoms and other medical complexes affecting the  
20 public's health.

21 (B) The Department may enter into contracts or  
22 agreements with individuals, corporations, hospitals,  
23 universities, not-for-profit corporations, governmental  
24 entities, or other organizations, whereby those  
25 individuals or entities agree to provide assistance in the  
26 compilation of the syndromic data collection and reporting

1 system.

2 (C) The Department shall not release any syndromic  
3 data or information obtained pursuant to this subsection  
4 to any individuals or entities for purposes other than the  
5 protection of the public health. All access to data by the  
6 Department, reports made to the Department, the identity  
7 of or facts that would tend to lead to the identity of the  
8 individual who is the subject of the report, and the  
9 identity of or facts that would tend to lead to the  
10 identity of the author of the report shall be strictly  
11 confidential, are not subject to inspection or  
12 dissemination, and shall be used only for public health  
13 purposes by the Department, local public health  
14 authorities, or the Centers for Disease Control and  
15 Prevention. Entities or individuals submitting reports or  
16 providing access to the Department shall not be held  
17 liable for the release of information or confidential data  
18 to the Department in accordance with this subsection.

19 (D) Nothing in this subsection prohibits the sharing  
20 of information as authorized in Section 2.1 of this Act.

21 (j) This Section shall be considered supplemental to the  
22 existing authority and powers of the Department and shall not  
23 be construed to restrain or restrict the Department in  
24 protecting the public health under any other provisions of the  
25 law.

26 (k) Any person who knowingly or maliciously disseminates



1 any false information or report concerning the existence of  
2 any dangerously contagious or infectious disease in connection  
3 with the Department's power of quarantine, isolation and  
4 closure or refuses to comply with a quarantine, isolation or  
5 closure order is guilty of a Class A misdemeanor.

6 (l) The Department of Public Health may establish and  
7 maintain a chemical and bacteriologic laboratory for the  
8 examination of water and wastes, and for the diagnosis of  
9 diphtheria, typhoid fever, tuberculosis, malarial fever and  
10 such other diseases as it deems necessary for the protection  
11 of the public health.

12 As used in this Act, "locality" means any governmental  
13 agency which exercises power pertaining to public health in an  
14 area less than the State.

15 The terms "sanitary investigations and inspections" and  
16 "sanitary practices" as used in this Act shall not include or  
17 apply to "Public Water Supplies" or "Sewage Works" as defined  
18 in the Environmental Protection Act. The Department may adopt  
19 rules that are reasonable and necessary to implement and  
20 effectuate this amendatory Act of the 93rd General Assembly.

21 (m) The public health measures set forth in subsections  
22 (a) through (h) of this Section may be used by the Department  
23 to respond to chemical, radiological, or nuclear agents or  
24 events. The individual provisions of subsections (a) through  
25 (h) of this Section apply to any order issued by the Department  
26 under this Section. The provisions of subsection (k) apply to

1 chemical, radiological, or nuclear agents or events. Prior to  
2 the Department issuing an order for public health measures set  
3 forth in this Act for chemical, radiological, or nuclear  
4 agents or events as authorized in subsection (m), the  
5 Department and the Illinois Emergency Management Agency shall  
6 consult in accordance with the Illinois emergency response  
7 framework. When responding to chemical, radiological, or  
8 nuclear agents or events, the Department shall determine the  
9 health related risks and appropriate public health response  
10 measures and provide recommendations for response to the  
11 Illinois Emergency Management Agency. Nothing in this Section  
12 shall supersede the current National Incident Management  
13 System and the Illinois Emergency Operation Plan or response  
14 plans and procedures established pursuant to IEMA statutes.

15 (Source: P.A. 96-698, eff. 8-25-09.)

16 Section 15. The Hospital Licensing Act is amended by  
17 changing Section 6.17 as follows:

18 (210 ILCS 85/6.17)

19 Sec. 6.17. Protection of and confidential access to  
20 medical records and information.

21 (a) Every hospital licensed under this Act shall develop a  
22 medical record for each of its patients as required by the  
23 Department by rule.

24 (b) All information regarding a hospital patient gathered

1 by the hospital's medical staff and its agents and employees  
2 shall be the property and responsibility of the hospital and  
3 must be protected from inappropriate disclosure as provided in  
4 this Section.

5 (c) Every hospital shall preserve its medical records in a  
6 format and for a duration established by hospital policy and  
7 for not less than 10 years, provided that if the hospital has  
8 been notified in writing by an attorney before the expiration  
9 of the 10 year retention period that there is litigation  
10 pending in court involving the record of a particular patient  
11 as possible evidence and that the patient is his client or is  
12 the person who has instituted such litigation against his  
13 client, then the hospital shall retain the record of that  
14 patient until notified in writing by the plaintiff's attorney,  
15 with the approval of the defendant's attorney of record, that  
16 the case in court involving such record has been concluded or  
17 for a period of 12 years from the date that the record was  
18 produced, whichever occurs first in time.

19 (d) No member of a hospital's medical staff and no agent or  
20 employee of a hospital shall disclose the nature or details of  
21 services provided to patients, except that the information may  
22 be disclosed to the patient, persons authorized by the  
23 patient, the party making treatment decisions, if the patient  
24 is incapable of making decisions regarding the health services  
25 provided, those parties directly involved with providing  
26 treatment to the patient or processing the payment for that

1 treatment, those parties responsible for peer review,  
2 utilization review or quality assurance, risk management, or  
3 defense of claims brought against the hospital arising out of  
4 the care, and those parties required to be notified under the  
5 Abused and Neglected Child Reporting Act, the Illinois  
6 Sexually Transmitted Infection ~~Transmissible Disease~~ Control  
7 Act, or where otherwise authorized or required by law.

8 (e) The hospital's medical staff members and the  
9 hospital's agents and employees may communicate, at any time  
10 and in any fashion, with legal counsel for the hospital  
11 concerning the patient medical record privacy and retention  
12 requirements of this Section and any care or treatment they  
13 provided or assisted in providing to any patient within the  
14 scope of their employment or affiliation with the hospital.

15 (e-5) Notwithstanding subsections (d) and (e), for actions  
16 filed on or after January 1, 2004, after a complaint for  
17 healing art malpractice is served upon the hospital or upon  
18 its agents or employees, members of the hospital's medical  
19 staff who are not actual or alleged agents, employees, or  
20 apparent agents of the hospital may not communicate with legal  
21 counsel for the hospital or with risk management of the  
22 hospital concerning the claim alleged in the complaint for  
23 healing art malpractice against the hospital except with the  
24 patient's consent or in discovery authorized by the Code of  
25 Civil Procedure or the Supreme Court rules. For the purposes  
26 of this subsection (e-5), "hospital" includes a hospital

1 affiliate as defined in subsection (b) of Section 10.8 of this  
2 Act.

3 (f) Each hospital licensed under this Act shall provide  
4 its federally designated organ procurement agency and any  
5 tissue bank with which it has an agreement with access to the  
6 medical records of deceased patients for the following  
7 purposes:

8 (1) estimating the hospital's organ and tissue  
9 donation potential;

10 (2) identifying the educational needs of the hospital  
11 with respect to organ and tissue donation; and

12 (3) identifying the number of organ and tissue  
13 donations and referrals to potential organ and tissue  
14 donors.

15 (g) All hospital and patient information, interviews,  
16 reports, statements, memoranda, and other data obtained or  
17 created by a tissue bank or federally designated organ  
18 procurement agency from the medical records review described  
19 in subsection (f) shall be privileged, strictly confidential,  
20 and used only for the purposes put forth in subsection (f) of  
21 this Section and shall not be admissible as evidence nor  
22 discoverable in an action of any kind in court or before a  
23 tribunal, board, agency, or person.

24 (h) Any person who, in good faith, acts in accordance with  
25 the terms of this Section shall not be subject to any type of  
26 civil or criminal liability or discipline for unprofessional

1 conduct for those actions under any professional licensing  
2 statute.

3 (i) Any individual who wilfully or wantonly discloses  
4 hospital or medical record information in violation of this  
5 Section is guilty of a Class A misdemeanor. As used in this  
6 subsection, "wilfully or wantonly" means a course of action  
7 that shows an actual or deliberate intention to cause harm or  
8 that, if not intentional, shows an utter indifference to or  
9 conscious disregard for the safety of others or their  
10 property.

11 (j) The changes to this Section made by this amendatory  
12 Act of the 93rd General Assembly apply to any action filed on  
13 or after January 1, 2004.

14 (Source: P.A. 93-492, eff. 1-1-04.)

15 Section 20. The Medical Practice Act of 1987 is amended by  
16 changing Section 64 as follows:

17 (225 ILCS 60/64)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 64. Sexually Transmitted Infection ~~Transmissible~~  
20 ~~Disease~~ Control Act. No licensee under this Act may be  
21 disciplined for providing expedited partner therapy in  
22 accordance with the provisions of the Illinois Sexually  
23 Transmitted Infection ~~Transmissible Disease~~ Control Act.

24 (Source: P.A. 96-613, eff. 1-1-10.)

1 Section 25. The Nurse Practice Act is amended by changing  
2 Section 70-170 as follows:

3 (225 ILCS 65/70-170)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 70-170. Sexually Transmitted Infection ~~Transmissible~~  
6 ~~Disease~~ Control Act. No licensee under this Act may be  
7 disciplined for providing expedited partner therapy in  
8 accordance with the provisions of the Illinois Sexually  
9 Transmitted Infection ~~Transmissible Disease~~ Control Act.  
10 (Source: P.A. 96-613, eff. 1-1-10.)

11 Section 30. The Physician Assistant Practice Act of 1987  
12 is amended by changing Section 25 as follows:

13 (225 ILCS 95/25)

14 (Section scheduled to be repealed on January 1, 2028)

15 Sec. 25. Sexually Transmitted Infection ~~Transmissible~~  
16 ~~Disease~~ Control Act. No licensee under this Act may be  
17 disciplined for providing expedited partner therapy in  
18 accordance with the provisions of the Illinois Sexually  
19 Transmitted Infection ~~Transmissible Disease~~ Control Act.  
20 (Source: P.A. 96-613, eff. 1-1-10.)

21 Section 35. The Medical Patient Rights Act is amended by

1 changing Section 3 as follows:

2 (410 ILCS 50/3) (from Ch. 111 1/2, par. 5403)

3 Sec. 3. The following rights are hereby established:

4 (a) The right of each patient to care consistent with  
5 sound nursing and medical practices, to be informed of the  
6 name of the physician responsible for coordinating his or  
7 her care, to receive information concerning his or her  
8 condition and proposed treatment, to refuse any treatment  
9 to the extent permitted by law, and to privacy and  
10 confidentiality of records except as otherwise provided by  
11 law.

12 (b) The right of each patient, regardless of source of  
13 payment, to examine and receive a reasonable explanation  
14 of his total bill for services rendered by his physician  
15 or health care provider, including the itemized charges  
16 for specific services received. Each physician or health  
17 care provider shall be responsible only for a reasonable  
18 explanation of those specific services provided by such  
19 physician or health care provider.

20 (c) In the event an insurance company or health  
21 services corporation cancels or refuses to renew an  
22 individual policy or plan, the insured patient shall be  
23 entitled to timely, prior notice of the termination of  
24 such policy or plan.

25 An insurance company or health services corporation



1 that requires any insured patient or applicant for new or  
2 continued insurance or coverage to be tested for infection  
3 with human immunodeficiency virus (HIV) or any other  
4 identified causative agent of acquired immunodeficiency  
5 syndrome (AIDS) shall (1) give the patient or applicant  
6 prior written notice of such requirement, (2) proceed with  
7 such testing only upon the written authorization of the  
8 applicant or patient, and (3) keep the results of such  
9 testing confidential. Notice of an adverse underwriting or  
10 coverage decision may be given to any appropriately  
11 interested party, but the insurer may only disclose the  
12 test result itself to a physician designated by the  
13 applicant or patient, and any such disclosure shall be in  
14 a manner that assures confidentiality.

15 The Department of Insurance shall enforce the  
16 provisions of this subsection.

17 (d) The right of each patient to privacy and  
18 confidentiality in health care. Each physician, health  
19 care provider, health services corporation and insurance  
20 company shall refrain from disclosing the nature or  
21 details of services provided to patients, except that such  
22 information may be disclosed: (1) to the patient, (2) to  
23 the party making treatment decisions if the patient is  
24 incapable of making decisions regarding the health  
25 services provided, (3) for treatment in accordance with 45  
26 CFR 164.501 and 164.506, (4) for payment in accordance

1 with 45 CFR 164.501 and 164.506, (5) to those parties  
2 responsible for peer review, utilization review, and  
3 quality assurance, (6) for health care operations in  
4 accordance with 45 CFR 164.501 and 164.506, (7) to those  
5 parties required to be notified under the Abused and  
6 Neglected Child Reporting Act or the Illinois Sexually  
7 Transmitted Infection ~~Transmissible Disease~~ Control Act,  
8 or (8) as otherwise permitted, authorized, or required by  
9 State or federal law. This right may be waived in writing  
10 by the patient or the patient's guardian or legal  
11 representative, but a physician or other health care  
12 provider may not condition the provision of services on  
13 the patient's, guardian's, or legal representative's  
14 agreement to sign such a waiver. In the interest of public  
15 health, safety, and welfare, patient information,  
16 including, but not limited to, health information,  
17 demographic information, and information about the  
18 services provided to patients, may be transmitted to or  
19 through a health information exchange, as that term is  
20 defined in Section 2 of the Mental Health and  
21 Developmental Disabilities Confidentiality Act, in  
22 accordance with the disclosures permitted pursuant to this  
23 Section. Patients shall be provided the opportunity to opt  
24 out of their health information being transmitted to or  
25 through a health information exchange in accordance with  
26 Section 9.6 of the Mental Health and Developmental

1           Disabilities Confidentiality Act, Section 9.6 of the AIDS  
2           Confidentiality Act, or Section 31.8 of the Genetic  
3           Information Privacy Act, as applicable. In the case of a  
4           patient choosing to opt out of having his or her  
5           information available on an HIE, nothing in this Act shall  
6           cause the physician or health care provider to be liable  
7           for the release of a patient's health information by other  
8           entities that may possess such information, including, but  
9           not limited to, other health professionals, providers,  
10          laboratories, pharmacies, hospitals, ambulatory surgical  
11          centers, and nursing homes.

12         (Source: P.A. 103-508, eff. 8-4-23.)

13           Section 40. The Illinois Sexually Transmissible Disease  
14           Control Act is amended by changing the title of the Act and  
15           Sections 1, 2, 3, 4, 5, 5.5, 6, 7, 8, and 9 as follows:

16           (410 ILCS 325/Act title)

17           An Act in relation to sexually transmitted infection  
18           ~~transmissible disease~~ control, amending an Act herein named.

19           (410 ILCS 325/1) (from Ch. 111 1/2, par. 7401)

20           Sec. 1. Short title. This Act shall be known and may be  
21           cited as the Illinois Sexually Transmitted Infection  
22           ~~Transmissible Disease~~ Control Act.

23         (Source: P.A. 85-681.)

1 (410 ILCS 325/2) (from Ch. 111 1/2, par. 7402)

2 Sec. 2. Findings; intent. The General Assembly finds and  
3 declares that sexually transmitted infections ~~transmissible~~  
4 ~~diseases~~ constitute a serious and sometimes fatal threat to  
5 the public and individual health and welfare of the people of  
6 the State and visitors to the State. The General Assembly  
7 finds that the incidence of sexually transmitted infections  
8 ~~transmissible diseases~~ is rising at an alarming rate and that  
9 these infections ~~diseases~~ result in significant social, health  
10 and economic costs, including infant and maternal mortality,  
11 temporary and lifelong disability and premature death. The  
12 General Assembly finds that sexually transmitted infections  
13 ~~transmissible diseases~~, by their nature, involve sensitive  
14 issues of privacy, and it is the intent of the General Assembly  
15 that all programs designed to deal with these infections  
16 ~~diseases~~ afford patients privacy, confidentiality and dignity.  
17 The General Assembly finds that medical knowledge and  
18 information about sexually transmitted infections  
19 ~~transmissible diseases~~ are rapidly changing. The General  
20 Assembly intends to provide a program that is sufficiently  
21 flexible to meet emerging needs, deals efficiently and  
22 effectively with reducing the incidence of sexually  
23 transmitted infections ~~transmissible diseases~~, and provides  
24 patients with a secure knowledge that information they provide  
25 will remain private and confidential.

1 (Source: P.A. 85-681.)

2 (410 ILCS 325/3) (from Ch. 111 1/2, par. 7403)

3 Sec. 3. Definitions. As used in this Act, unless the  
4 context clearly requires otherwise:

5 (1) "Department" means the Department of Public Health.

6 (2) "Local health authority" means the full-time official  
7 health department or board of health, as recognized by the  
8 Department, having jurisdiction over a particular area.

9 (3) "Sexually transmitted infections ~~transmissible~~  
10 ~~disease~~" means a bacterial, viral, fungal or parasitic  
11 infection ~~disease~~, determined by rule of the Department to be  
12 sexually transmissible, to be a threat to the public health  
13 and welfare, and to be an infection ~~a disease~~ for which a  
14 legitimate public interest will be served by providing for  
15 regulation and treatment. In considering which infections  
16 ~~diseases~~ are to be designated sexually transmitted infections  
17 ~~transmissible diseases~~, the Department shall consider such  
18 infections ~~diseases~~ as chancroid, gonorrhea, granuloma  
19 inguinale, lymphogranuloma venereum, genital herpes simplex,  
20 chlamydia, human papillomavirus (HPV), mpox, nongonococcal  
21 urethritis (NGU), pelvic inflammatory disease (PID)/Acute  
22 Salpingitis, syphilis, Acquired Immunodeficiency Syndrome  
23 (AIDS), and Human Immunodeficiency Virus (HIV) for  
24 designation, and shall consider the recommendations and  
25 classifications of the Centers for Disease Control and other

1 nationally recognized medical authorities. Not all infections  
2 ~~diseases~~ that are sexually transmissible need be designated  
3 for purposes of this Act.

4 (4) "Health care professional" means a physician licensed  
5 to practice medicine in all its branches, a licensed physician  
6 assistant, or a licensed advanced practice registered nurse.

7 (5) "Expedited partner therapy" means to prescribe,  
8 dispense, furnish, or otherwise provide prescription  
9 antibiotic drugs to the partner or partners of persons  
10 clinically diagnosed as infected with a sexually transmitted  
11 infection ~~transmissible disease~~, without physical examination  
12 of the partner or partners.

13 (Source: P.A. 99-173, eff. 7-29-15; 100-513, eff. 1-1-18.)

14 (410 ILCS 325/4) (from Ch. 111 1/2, par. 7404)

15 Sec. 4. Reporting required.

16 (a) A physician licensed under the provisions of the  
17 Medical Practice Act of 1987, an advanced practice registered  
18 nurse licensed under the provisions of the Nurse Practice Act,  
19 or a physician assistant licensed under the provisions of the  
20 Physician Assistant Practice Act of 1987 who makes a diagnosis  
21 of or treats a person with a sexually transmitted infection  
22 ~~transmissible disease~~ and each laboratory that performs a test  
23 for a sexually transmitted infection ~~transmissible disease~~  
24 which concludes with a positive result shall report such facts  
25 as may be required by the Department by rule, within such time

1 period as the Department may require by rule, but in no case to  
2 exceed 2 weeks.

3 (b) The Department shall adopt rules specifying the  
4 information required in reporting a sexually transmitted  
5 infection ~~transmissible disease~~, the method of reporting and  
6 specifying a minimum time period for reporting. In adopting  
7 such rules, the Department shall consider the need for  
8 information, protections for the privacy and confidentiality  
9 of the patient, and the practical abilities of persons and  
10 laboratories to report in a reasonable fashion.

11 (c) Any person who knowingly or maliciously disseminates  
12 any false information or report concerning the existence of  
13 any sexually transmitted infections ~~transmissible disease~~  
14 under this Section is guilty of a Class A misdemeanor.

15 (d) Any person who violates the provisions of this Section  
16 or the rules adopted hereunder may be fined by the Department  
17 up to \$500 for each violation. The Department shall report  
18 each violation of this Section to the regulatory agency  
19 responsible for licensing a health care professional or a  
20 laboratory to which these provisions apply.

21 (Source: P.A. 99-173, eff. 7-29-15; 100-513, eff. 1-1-18.)

22 (410 ILCS 325/5) (from Ch. 111 1/2, par. 7405)

23 Sec. 5. Contact investigation. (a) The Department shall  
24 adopt rules authorizing interviews and its authorized  
25 representatives may interview, or cause to be interviewed, all

1 persons infected with a sexually transmitted infection  
2 ~~transmissible disease~~ and all persons whom the Department  
3 reasonably believes may be infected with such infection  
4 ~~disease~~ for the purpose of investigating the source and spread  
5 of the infection ~~disease~~ and for the purpose of ordering a  
6 person to submit to examination and treatment as necessary for  
7 the protection of the public health and safety.

8 (b) All information gathered in the course of contact  
9 investigation pursuant to this Section shall be considered  
10 confidential and subject to the provisions of Section 8 of  
11 this Act. Such information shall be exempt from inspection and  
12 copying under The Freedom of Information Act, as amended.

13 (c) No person contacted under this Section or reasonably  
14 believed to be infected with a sexually transmitted infection  
15 ~~transmissible disease~~ who reveals the name or names of sexual  
16 contacts during the course of an investigation shall be held  
17 liable in a civil action for such revelation, unless the  
18 revelation is made falsely or with reckless disregard for the  
19 truth.

20 (d) Any person who knowingly or maliciously disseminates  
21 any false information or report concerning the existence of  
22 any sexually transmitted infection ~~transmissible disease~~ under  
23 this Section is guilty of a Class A misdemeanor.

24 (Source: P.A. 85-681.)

25 (410 ILCS 325/5.5) (from Ch. 111 1/2, par. 7405.5)



1           Sec. 5.5. Risk assessment.

2           (a) Whenever the Department receives a report of HIV  
3 infection or AIDS pursuant to this Act and the Department  
4 determines that the subject of the report may present or may  
5 have presented a possible risk of HIV transmission, the  
6 Department shall, when medically appropriate, investigate the  
7 subject of the report and that person's contacts as defined in  
8 subsection (c), to assess the potential risks of transmission.  
9 Any investigation and action shall be conducted in a timely  
10 fashion. All contacts other than those defined in subsection  
11 (c) shall be investigated in accordance with Section 5 of this  
12 Act.

13           (b) If the Department determines that there is or may have  
14 been potential risks of HIV transmission from the subject of  
15 the report to other persons, the Department shall afford the  
16 subject the opportunity to submit any information and comment  
17 on proposed actions the Department intends to take with  
18 respect to the subject's contacts who are at potential risk of  
19 transmission of HIV prior to notification of the subject's  
20 contacts. The Department shall also afford the subject of the  
21 report the opportunity to notify the subject's contacts in a  
22 timely fashion who are at potential risk of transmission of  
23 HIV prior to the Department taking any steps to notify such  
24 contacts. If the subject declines to notify such contacts or  
25 if the Department determines the notices to be inadequate or  
26 incomplete, the Department shall endeavor to notify such other

1 persons of the potential risk, and offer testing and  
2 counseling services to these individuals. When the contacts  
3 are notified, they shall be informed of the disclosure  
4 provisions of the AIDS Confidentiality Act and the penalties  
5 therein and this Section.

6 (c) Contacts investigated under this Section shall in the  
7 case of HIV infection include (i) individuals who have  
8 undergone invasive procedures performed by an HIV infected  
9 health care provider and (ii) health care providers who have  
10 performed invasive procedures for persons infected with HIV,  
11 provided the Department has determined that there is or may  
12 have been potential risk of HIV transmission from the health  
13 care provider to those individuals or from infected persons to  
14 health care providers. The Department shall have access to the  
15 subject's records to review for the identity of contacts. The  
16 subject's records shall not be copied or seized by the  
17 Department.

18 For purposes of this subsection, the term "invasive  
19 procedures" means those procedures termed invasive by the  
20 Centers for Disease Control in current guidelines or  
21 recommendations for the prevention of HIV transmission in  
22 health care settings, and the term "health care provider"  
23 means any physician, dentist, podiatric physician, advanced  
24 practice registered nurse, physician assistant, nurse, or  
25 other person providing health care services of any kind.

26 (d) All information and records held by the Department and

1 local health authorities pertaining to activities conducted  
2 pursuant to this Section shall be strictly confidential and  
3 exempt from copying and inspection under the Freedom of  
4 Information Act. Such information and records shall not be  
5 released or made public by the Department or local health  
6 authorities, and shall not be admissible as evidence, nor  
7 discoverable in any action of any kind in any court or before  
8 any tribunal, board, agency or person and shall be treated in  
9 the same manner as the information and those records subject  
10 to the provisions of Part 21 of Article VIII of the Code of  
11 Civil Procedure except under the following circumstances:

12 (1) When made with the written consent of all persons  
13 to whom this information pertains;

14 (2) (Blank); or

15 (3) When made by the Department for the purpose of  
16 seeking a warrant authorized by Sections 6 and 7 of this  
17 Act. Such disclosure shall conform to the requirements of  
18 subsection (a) of Section 8 of this Act.

19 (e) Any person who knowingly or maliciously disseminates  
20 any information or report concerning the existence of any  
21 infection ~~disease~~ under this Section is guilty of a Class A  
22 misdemeanor.

23 (Source: P.A. 102-168, eff. 7-27-21.)

24 (410 ILCS 325/6) (from Ch. 111 1/2, par. 7406)

25 Sec. 6. Physical examination and treatment.

1           (a) Subject to the provisions of subsection (c) of this  
2 Section, the Department and its authorized representatives may  
3 examine or cause to be examined persons reasonably believed to  
4 be infected with or to have been exposed to a sexually  
5 transmitted infection ~~transmissible disease~~.

6           (b) Subject to the provisions of subsection (c) of this  
7 Section, persons with a sexually transmitted infection  
8 ~~transmissible disease~~ shall report for complete treatment to a  
9 physician licensed under the provisions of the Medical  
10 Practice Act of 1987, or shall submit to treatment at a  
11 facility provided by a local health authority or other public  
12 facility, as the Department shall require by rule or  
13 regulation until the infection ~~disease~~ is noncommunicable or  
14 the Department determines that the person does not present a  
15 real and present danger to the public health. This subsection  
16 (b) shall not be construed to require the Department or local  
17 health authorities to pay for or provide such treatment.

18           (c) No person shall be apprehended, examined or treated  
19 for a sexually transmitted infection ~~transmissible disease~~  
20 against his will, under the provisions of this Act, except  
21 upon the presentation of a warrant duly authorized by a court  
22 of competent jurisdiction. In requesting the issuance of such  
23 a warrant the Department shall show by a preponderance of  
24 evidence that the person is infectious and that a real and  
25 present danger to the public health and welfare exists unless  
26 such warrant is issued and shall show that all other

1 reasonable means of obtaining compliance have been exhausted  
2 and that no other less restrictive alternative is available.  
3 The court shall require any proceedings authorized by this  
4 subsection (c) to be conducted in camera. A record shall be  
5 made of such proceedings but shall be sealed, impounded and  
6 preserved in the records of the court, to be made available to  
7 the reviewing court in the event of an appeal.

8 (d) Any person who knowingly or maliciously disseminates  
9 any false information or report concerning the existence of  
10 any sexually transmitted infection ~~transmissible disease~~ under  
11 this Section is guilty of a Class A misdemeanor.

12 (e) Taking into account the recommendations of the U.S.  
13 Centers for Disease Control and Prevention and other  
14 nationally recognized medical authorities, the Department  
15 shall provide information and technical assistance as  
16 appropriate to health care professionals who provide expedited  
17 partner therapy services for persons with sexually transmitted  
18 infections ~~transmissible diseases~~.

19 (1) Notwithstanding any other provision of law, a  
20 health care professional who makes a clinical diagnosis of  
21 chlamydia, gonorrhea, or trichomoniasis may prescribe,  
22 dispense, furnish, or otherwise provide prescription  
23 antibiotic drugs to the infected person's sexual partner  
24 or partners for the treatment of the sexually transmitted  
25 infection ~~transmissible disease~~ without physical  
26 examination of the partner or partners, if in the judgment

1 of the health care professional the partner is unlikely or  
2 unable to present for comprehensive healthcare, including  
3 evaluation, testing, and treatment for sexually  
4 transmitted infections ~~transmissible diseases~~. Expedited  
5 partner therapy shall be limited to partners who may have  
6 been exposed to a sexually transmitted infection  
7 ~~transmissible disease~~ within the previous 60 days, if the  
8 patient is able to contact the partner.

9 (2) Health care professionals who provide expedited  
10 partner therapy shall comply with Sections 4 and 5 of this  
11 ~~the Illinois Sexually Transmissible Disease Control~~ Act.

12 (3) Health care professionals who provide expedited  
13 partner therapy shall provide counseling for the patient  
14 and written materials provided by the Department to be  
15 given by the patient to the partner or partners that  
16 include at a minimum the following:

17 (A) a warning that a woman who is pregnant or might  
18 be pregnant must not take certain antibiotics and must  
19 immediately contact a health care professional for an  
20 examination, and a recommendation for such an  
21 examination;

22 (B) information about the antibiotic and dosage  
23 provided or prescribed; clear and explicit allergy and  
24 side effect warnings, including a warning that a  
25 partner who has a history of allergy to the antibiotic  
26 or the pharmaceutical class of antibiotic must not

1 take the antibiotic and must be immediately examined  
2 by a health care professional, and a recommendation  
3 for such an examination;

4 (C) information about the treatment and prevention  
5 of sexually transmitted infections ~~transmissible~~  
6 ~~diseases~~;

7 (D) the requirement of abstinence until a period  
8 of time after treatment to prevent infecting others;

9 (E) notification of the importance of the partner  
10 or partners of the patient to receive examination and  
11 testing for HIV and other sexually transmitted  
12 infections ~~transmissible diseases~~, and available  
13 resources;

14 (F) notification of the risk to self, others, and  
15 the public health if the sexually transmitted  
16 infection ~~transmissible disease~~ is not completely and  
17 successfully treated;

18 (G) the responsibility of the partner or partners  
19 to inform his or her sex partner or partners of the  
20 risk of sexually transmitted infection ~~transmissible~~  
21 ~~disease~~ and the importance of prompt examination and  
22 treatment; and

23 (H) other information as deemed necessary by the  
24 Department.

25 (4) The Department shall develop and disseminate in  
26 electronic and other formats the following written

1 materials:

2 (A) informational materials for partners, as  
3 required in item (3) of this subsection (e);

4 (B) informational materials for persons who are  
5 repeatedly diagnosed with sexually transmitted  
6 infections ~~transmissible diseases~~; and

7 (C) guidance for health care professionals on the  
8 safe and effective provision of expedited partner  
9 therapy.

10 The Department may offer educational programs about  
11 expedited partner therapy for health care professionals  
12 and pharmacists licensed under the Pharmacy Practice Act.

13 (5) A health care professional prescribing,  
14 dispensing, furnishing, or otherwise providing in good  
15 faith without fee or compensation prescription antibiotics  
16 to partners under this subsection (e) and providing  
17 counseling and written materials as required by item (3)  
18 of this subsection (e) shall not be subject to civil or  
19 professional liability, except for willful and wanton  
20 misconduct. A health care professional shall not be  
21 subject to civil or professional liability for choosing  
22 not to provide expedited partner therapy.

23 (6) A pharmacist or pharmacy shall not be subject to  
24 civil or professional liability for choosing not to fill a  
25 prescription that would cause the pharmacist or pharmacy  
26 to violate any provision of the Pharmacy Practice Act,



1 including the definition of "prescription" set forth in  
2 subsection (e) of Section 3 of the Pharmacy Practice Act  
3 or the definition of "drug regimen review" set forth in  
4 subsection (y) of Section 3 of the Pharmacy Practice Act.

5 (Source: P.A. 102-185, eff. 1-1-22.)

6 (410 ILCS 325/7) (from Ch. 111 1/2, par. 7407)

7 Sec. 7. Quarantine and isolation.

8 (a) Subject to the provisions of subsection (b) of this  
9 Section, the Department may order a person to be isolated or a  
10 place to be quarantined and made off limits to the public to  
11 prevent the probable spread of a sexually transmitted  
12 infection ~~transmissible disease~~, until such time as the  
13 condition can be corrected or the danger to the public health  
14 eliminated or reduced in such a manner that no substantial  
15 danger to the public's health any longer exists.

16 (b) No person may be ordered to be isolated, and no place  
17 may be ordered to be quarantined, except with the consent of  
18 such person or owner of such place or upon the order of a court  
19 of competent jurisdiction and upon proof by the Department, by  
20 clear and convincing evidence, that the public's health and  
21 welfare are significantly endangered by a person with a  
22 sexually transmitted infection ~~transmissible disease~~ or by a  
23 place where there is a significant amount of sexual activity  
24 likely to spread a sexually transmitted infection  
25 ~~transmissible disease~~, and upon proof that all other

1 reasonable means of correcting the problem have been exhausted  
2 and no less restrictive alternative exists.

3 (c) This Section shall be considered supplemental to the  
4 existing authorities and powers of the Department, and shall  
5 not be construed to restrain or restrict the Department in  
6 protecting the public health under any other provisions of the  
7 law.

8 (d) Any person who knowingly or maliciously disseminates  
9 any false information or report concerning the existence of  
10 any sexually transmitted infection ~~transmissible disease~~ in  
11 connection with the Department's power of quarantine and  
12 isolation is guilty of a Class A misdemeanor.

13 (Source: P.A. 85-681.)

14 (410 ILCS 325/8) (from Ch. 111 1/2, par. 7408)

15 Sec. 8. Confidentiality.

16 (a) All information and records held by the Department and  
17 its authorized representatives relating to known or suspected  
18 cases of sexually transmitted infections ~~transmissible~~  
19 ~~diseases~~ shall be strictly confidential and exempt from  
20 inspection and copying under The Freedom of Information Act,  
21 as amended. The Department and its authorized representatives  
22 shall not disclose information and records held by them  
23 relating to known or suspected cases of sexually transmitted  
24 infections ~~transmissible diseases~~ publicly or in any action of  
25 any kind in any court or before any tribunal, board, or agency,

1 and such information shall not be released or made public by a  
2 court conducting proceedings authorized by subsection (c) of  
3 Section 6 of this Act, except that release of such information  
4 may be made under the following circumstances:

5 (1) When made with the consent of all persons to which  
6 the information applies;

7 (2) When made for statistical purposes and medical or  
8 epidemiologic information is summarized so that no person  
9 can be identified and no names are revealed;

10 (3) When made to medical personnel, appropriate State  
11 agencies or courts of appropriate jurisdiction to enforce  
12 the provisions of this Act and related rules; or

13 (4) When made to persons determined by the Department  
14 to be or have been at potential risk of HIV transmission  
15 pursuant to Section 5.5 of this Act.

16 (b) (Blank).

17 (c) A court hearing a request for the issuance of a warrant  
18 as authorized in subsection (c) of Section 6 of this Act shall  
19 conduct such proceedings in camera. A record shall be made of  
20 authorized proceedings but shall be sealed, impounded and  
21 preserved in the records of the court, to be made available to  
22 the reviewing court in the event of an appeal.

23 (d) No employee of the Department or its authorized  
24 representatives shall be examined in a civil, criminal,  
25 special or other proceeding concerning the existence or  
26 contents of pertinent records of a person examined or treated

1 for a sexually transmitted infection ~~transmissible disease~~ by  
2 the Department or its authorized representatives pursuant to  
3 the provisions of this Act, or concerning the existence or  
4 contents of such reports received from a private physician or  
5 private health facility, pursuant to the provisions of this  
6 Act, without the consent of the person examined and treated  
7 for such infections ~~diseases~~, except in proceedings under  
8 Sections 6 and 7 of this Act.

9 (e) Any person who knowingly violates the confidentiality  
10 provisions of this Section is guilty of a Class A misdemeanor.

11 (f) Any person who knowingly or maliciously disseminates  
12 any false information or report concerning the existence of  
13 any sexually transmitted infection ~~transmissible disease~~ under  
14 this Section is guilty of a Class A misdemeanor.

15 (Source: P.A. 89-381, eff. 8-18-95.)

16 (410 ILCS 325/9) (from Ch. 111 1/2, par. 7409)

17 Sec. 9. Prisoners.

18 (a) The Department and its authorized representatives may,  
19 at its discretion, enter any State, county or municipal  
20 detention facility to interview, examine and treat any  
21 prisoner for a sexually transmitted infection ~~transmissible~~  
22 ~~disease~~. Any such State, county or municipal detention  
23 facility shall cooperate with the Department and its  
24 authorized representative to provide such space as is  
25 necessary for the examination and treatment of all prisoners

1 suffering from or suspected of having a sexually transmitted  
2 infection ~~transmissible disease~~.

3 (b) Nothing in this Section shall be construed as  
4 relieving the Department of Corrections or any county or  
5 municipality of their primary responsibility for providing  
6 medical treatment for prisoners under their jurisdiction,  
7 including treatment for sexually transmitted infections  
8 ~~transmissible diseases~~.

9 (c) Any person who knowingly or maliciously disseminates  
10 any false information or report concerning the existence of  
11 any sexually transmitted infection ~~transmissible disease~~ under  
12 this Section is guilty of a Class A misdemeanor.

13 (d) The Department, in consultation with the Department of  
14 Corrections, shall develop and implement written procedures  
15 that establish a process for confidentially notifying and  
16 recommending sexually transmitted infection ~~transmissible~~  
17 ~~disease~~ testing of the contacts of a committed person who has  
18 been diagnosed with a sexually transmitted infection  
19 ~~transmissible disease~~ and for notifying and recommending  
20 sexually transmitted infection ~~transmissible disease~~ testing  
21 of a committed person who has had contact with one diagnosed  
22 with a sexually transmitted infection ~~transmissible disease~~.  
23 The process shall be in accordance with Sections 3, 5, and 8 of  
24 this Act.

25 (Source: P.A. 97-928, eff. 8-10-12.)

1           Section 45. The Abused and Neglected Child Reporting Act  
2 is amended by changing Section 5 as follows:

3           (325 ILCS 5/5) (from Ch. 23, par. 2055)

4           Sec. 5. An officer of a local law enforcement agency,  
5 designated employee of the Department, or a physician treating  
6 a child may take or retain temporary protective custody of the  
7 child without the consent of the person responsible for the  
8 child's welfare, if (1) the officer of a local law enforcement  
9 agency, designated employee of the Department, or a physician  
10 treating a child has reason to believe that the child cannot be  
11 cared for at home or in the custody of the person responsible  
12 for the child's welfare without endangering the child's health  
13 or safety; and (2) there is not time to apply for a court order  
14 under the Juvenile Court Act of 1987 for temporary custody of  
15 the child. The person taking or retaining a child in temporary  
16 protective custody shall immediately make every reasonable  
17 effort to notify the person responsible for the child's  
18 welfare and shall immediately notify the Department. The  
19 Department shall provide to the temporary caretaker of a child  
20 any information in the Department's possession concerning the  
21 positive results of a test performed on the child to determine  
22 the presence of the antibody or antigen to Human  
23 Immunodeficiency Virus (HIV), or of HIV infection, as well as  
24 any communicable diseases or communicable infections that the  
25 child has. The temporary caretaker of a child shall not

1 disclose to another person any information received by the  
2 temporary caretaker from the Department concerning the results  
3 of a test performed on the child to determine the presence of  
4 the antibody or antigen to HIV, or of HIV infection, except  
5 pursuant to Section 9 of the AIDS Confidentiality Act, as now  
6 or hereafter amended. The Department shall promptly initiate  
7 proceedings under the Juvenile Court Act of 1987 for the  
8 continued temporary custody of the child.

9 Where the physician keeping a child in the physician's  
10 custody does so in the physician's capacity as a member of the  
11 staff of a hospital or similar institution, the physician  
12 shall notify the person in charge of the institution or the  
13 designated agent of the person in charge, who shall then  
14 become responsible for the further care of such child in the  
15 hospital or similar institution under the direction of the  
16 Department.

17 Said care includes, but is not limited to the granting of  
18 permission to perform emergency medical treatment to a minor  
19 where the treatment itself does not involve a substantial risk  
20 of harm to the minor and the failure to render such treatment  
21 will likely result in death or permanent harm to the minor, and  
22 there is not time to apply for a court order under the Juvenile  
23 Court Act of 1987.

24 Any person authorized and acting in good faith in the  
25 removal of a child under this Section shall have immunity from  
26 any liability, civil or criminal, that might otherwise be

1 incurred or imposed as a result of such removal. Any physician  
2 authorized and acting in good faith and in accordance with  
3 acceptable medical practice in the treatment of a child under  
4 this Section shall have immunity from any liability, civil or  
5 criminal, that might otherwise be incurred or imposed as a  
6 result of granting permission for emergency treatment.

7 With respect to any child taken into temporary protective  
8 custody pursuant to this Section, the Department of Children  
9 and Family Services Guardianship Administrator or the  
10 Guardianship Administrator's designee shall be deemed the  
11 child's legally authorized representative for purposes of  
12 consenting to an HIV test if deemed necessary and appropriate  
13 by the Department's Guardianship Administrator or the  
14 Guardianship Administrator's designee and obtaining and  
15 disclosing information concerning such test pursuant to the  
16 AIDS Confidentiality Act if deemed necessary and appropriate  
17 by the Department's Guardianship Administrator or the  
18 Guardianship Administrator's designee and for purposes of  
19 consenting to the release of information pursuant to the  
20 Illinois Sexually Transmitted Infection ~~Transmissible Disease~~  
21 Control Act if deemed necessary and appropriate by the  
22 Department's Guardianship Administrator or designee.

23 Any person who administers an HIV test upon the consent of  
24 the Department of Children and Family Services Guardianship  
25 Administrator or the Guardianship Administrator's designee, or  
26 who discloses the results of such tests to the Department's



1 Guardianship Administrator or the Guardianship Administrator's  
2 designee, shall have immunity from any liability, civil,  
3 criminal or otherwise, that might result by reason of such  
4 actions. For the purpose of any proceedings, civil or  
5 criminal, the good faith of any persons required to administer  
6 or disclose the results of tests, or permitted to take such  
7 actions, shall be presumed.

8 (Source: P.A. 103-22, eff. 8-8-23.)

9 Section 50. The Perinatal HIV Prevention Act is amended by  
10 changing Section 15 as follows:

11 (410 ILCS 335/15)

12 Sec. 15. Reporting.

13 (a) Health care facilities shall adopt a policy that  
14 provides that a report of a preliminarily HIV-positive woman  
15 identified by a rapid HIV test or a report of a preliminarily  
16 HIV-exposed newborn infant identified by a rapid HIV test  
17 shall be made to the Department's Perinatal HIV Hotline within  
18 12 hours but not later than 24 hours of the test result.  
19 Section 15 of the AIDS Confidentiality Act applies to  
20 reporting under this Act, except that the immunities set forth  
21 in that Section do not apply in cases of willful or wanton  
22 misconduct.

23 (b) The Department shall adopt rules specifying the  
24 information required in reporting the preliminarily

1 HIV-positive pregnant or post-partum woman and preliminarily  
2 HIV-exposed newborn infant and the method of reporting. In  
3 adopting the rules, the Department shall consider the need for  
4 information, protections for the privacy and confidentiality  
5 of the infant and parents, the need to provide access to care  
6 and follow-up services to the infant, and procedures for  
7 destruction of records maintained by the Department if,  
8 through subsequent HIV testing, the pregnant or post-partum  
9 woman or newborn infant is found to be HIV-negative.

10 (c) The confidentiality provisions of the AIDS  
11 Confidentiality Act shall apply to the reports of cases of  
12 perinatal HIV made pursuant to this Section.

13 (d) Health care facilities shall monthly report aggregate  
14 statistics to the Department that include the number of  
15 pregnant or delivering women who presented with known HIV  
16 status; the number of pregnant women rapidly tested for HIV in  
17 labor and delivery as either a first HIV test or a repeat third  
18 trimester HIV test; the number of newborn infants rapidly  
19 tested for HIV-exposure because the HIV status of the  
20 delivering woman was unknown in the third trimester, or the  
21 delivering woman refused testing; the number of preliminarily  
22 HIV-positive pregnant or delivering women and preliminarily  
23 HIV-exposed newborn infants identified; the number of families  
24 referred to case management; and other information the  
25 Department determines is necessary to measure progress under  
26 the provisions of this Act. Health care facilities must report

1 the confirmatory test result when it becomes available for  
2 each preliminarily positive rapid HIV test performed on the  
3 pregnant or delivering woman and on a newborn.

4 (e) The Department or its authorized representative shall  
5 provide case management services to the preliminarily positive  
6 pregnant or post-partum woman or the parent or guardian of the  
7 preliminarily positive newborn infant to ensure access to  
8 treatment and care and other services where the pregnant or  
9 post-partum woman or the parent or guardian of the newborn  
10 infant has consented to the services.

11 (f) Every health care facility caring for a newborn infant  
12 whose mother had been diagnosed HIV positive prior to labor  
13 and delivery shall report a case of perinatal HIV exposure in  
14 accordance with the HIV/AIDS Registry Act, the Illinois  
15 Sexually Transmitted Infection ~~Transmissible Disease~~ Control  
16 Act, and rules to be developed by the Department. If after 18  
17 months from the date that the report was submitted, a newborn  
18 infant is determined to not have HIV or AIDS, the Department  
19 shall remove the newborn infant's name from all reports,  
20 records, and files collected or created under this subsection  
21 (f).

22 (Source: P.A. 100-265, eff. 8-22-17.)

23 Section 55. The Juvenile Court Act of 1987 is amended by  
24 changing Section 2-11 as follows:

1 (705 ILCS 405/2-11) (from Ch. 37, par. 802-11)

2 Sec. 2-11. Medical and dental treatment and care. At all  
3 times during temporary custody or shelter care, the court may  
4 authorize a physician, a hospital or any other appropriate  
5 health care provider to provide medical, dental or surgical  
6 procedures if such procedures are necessary to safeguard the  
7 minor's life or health.

8 With respect to any minor for whom the Department of  
9 Children and Family Services Guardianship Administrator is  
10 appointed the temporary custodian, the Guardianship  
11 Administrator or the Guardianship Administrator's designee  
12 shall be deemed the minor's legally authorized representative  
13 for purposes of consenting to an HIV test and obtaining and  
14 disclosing information concerning such test pursuant to the  
15 AIDS Confidentiality Act and for purposes of consenting to the  
16 release of information pursuant to the Illinois Sexually  
17 Transmitted Infection ~~Transmissible Disease~~ Control Act.

18 Any person who administers an HIV test upon the consent of  
19 the Department of Children and Family Services Guardianship  
20 Administrator or the Guardianship Administrator's designee, or  
21 who discloses the results of such tests to the Department's  
22 Guardianship Administrator or the Guardianship Administrator's  
23 designee, shall have immunity from any liability, civil,  
24 criminal or otherwise, that might result by reason of such  
25 actions. For the purpose of any proceedings, civil or  
26 criminal, the good faith of any persons required to administer

1 or disclose the results of tests, or permitted to take such  
2 actions, shall be presumed.

3 (Source: P.A. 103-22, eff. 8-8-23.)

4 Section 95. No acceleration or delay. Where this Act makes  
5 changes in a statute that is represented in this Act by text  
6 that is not yet or no longer in effect (for example, a Section  
7 represented by multiple versions), the use of that text does  
8 not accelerate or delay the taking effect of (i) the changes  
9 made by this Act or (ii) provisions derived from any other  
10 Public Act.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.