

1 AN ACT concerning patient health information.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly: Section 5. The Code
4 of Civil Procedure is amended by changing Sections 8-2001 and
5 8-2003 as follows:

6 (735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)

7 Sec. 8-2001. Examination of records.

8 In this Section, "health care facility" or "facility"
9 means a public or private hospital, ambulatory surgical
10 treatment center, nursing home, independent practice
11 association, or physician hospital organization, or any other
12 entity where health care services are provided to any person.
13 The term does not include an organizational structure whose
14 records are subject to Section 8-2003.

15 Every private and public health care facility ~~hospital~~
16 shall, upon the request of any patient who has been treated
17 in such health care facility ~~hospital-and-after-his-or-her~~
18 ~~discharge-therefrom~~, permit the patient, his or her physician
19 or authorized attorney to examine the health care facility
20 patient care ~~hospital~~ records, including but not limited to
21 the history, bedside notes, charts, pictures and plates, kept
22 in connection with the treatment of such patient, and permit
23 copies of such records to be made by him or her or his or her
24 physician or authorized attorney. A request for copies of
25 the records shall be in writing and shall be delivered to the
26 administrator or manager of such health care facility
27 ~~hospital~~. The health care facility ~~hospital~~ shall be
28 reimbursed by the person requesting copies of records at the
29 time of such copying for all reasonable expenses, including
30 the costs of independent copy service companies, incurred by
31 the health care facility ~~hospital~~ in connection with such
32 copying not to exceed a \$20 handling charge for processing

1 the request for copies, and 75 cents per page for the first
2 through 25th pages, 50 cents per page for the 26th through
3 50th pages, and 25 cents per page for all pages in excess of
4 50 (except that the charge shall not exceed \$1.25 per page
5 for any copies made from microfiche or microfilm), and actual
6 shipping costs. These rates shall be automatically adjusted
7 as set forth in Section 8-2006. The health care facility
8 ~~hospital~~ may, however, charge for the reasonable cost of all
9 duplication of record material or information that cannot
10 routinely be copied or duplicated on a standard commercial
11 photocopy machine such as x-ray films or pictures.

12 The requirements of this Section shall be satisfied
13 within 30 ~~60~~ days of the receipt of a written request by a
14 patient, or by his or her legally authorized representative,
15 ~~for--his--or--her~~ physician, or authorized attorney, ~~or own~~
16 person. If the health care facility needs more time to comply
17 with the request, then within 30 days after receiving the
18 request, the facility must provide the requesting party with
19 a written statement of the reasons for the delay and the date
20 by which the requested information will be provided. In any
21 event, the facility must provide the requested information no
22 later than 60 days after receiving the request.

23 A health care facility must provide the public with at
24 least 30 days prior notice of the closure of the facility.
25 The notice must include an explanation of how copies of the
26 facility's records may be accessed by patients. The notice
27 may be given by publication in a newspaper of general
28 circulation in the area in which the health care facility is
29 located.

30 Failure to comply with the time limit requirement of this
31 Section shall subject the denying party to expenses and
32 reasonable attorneys' fees incurred in connection with any
33 court ordered enforcement of the provisions of this Section.

34 (Source: P.A. 84-7; 92-228, eff. 9-1-01.)

1 (735 ILCS 5/8-2003) (from Ch. 110, par. 8-2003)
 2 Sec. 8-2003. Records of ~~physicians-and-other~~ health care
 3 practitioners. In this Section, "practitioner" means any
 4 health care practitioner, including other-than a physician,
 5 dentist, podiatrist, advanced practice nurse, physician
 6 assistant, clinical psychologist, or clinical social worker.
 7 The term includes a medical office, health care clinic,
 8 health department, group practice, and any other
 9 organizational structure for a licensed professional to
 10 provide health care services. The term does not include a
 11 health care facility as defined in Section 8-2001.

12 Every ~~physician-and~~ practitioner shall, upon the request
 13 of any patient who has been treated by such ~~physician--or~~
 14 practitioner, permit the patient and the such patient's
 15 ~~physician,~~ practitioner, or authorized attorney to examine
 16 and copy the patient's records, including but not limited to
 17 those relating to the diagnosis, treatment, prognosis,
 18 history, charts, pictures and plates, kept in connection with
 19 the treatment of such patient. Such request for examining
 20 and copying of the records shall be in writing and shall be
 21 delivered to such ~~physician--or~~ practitioner. Such written
 22 request shall be complied with by the ~~physician---~~
 23 practitioner within a reasonable time after receipt by him or
 24 her at his or her office or any other place designated by him
 25 or her.

26 The requirements of this Section shall be satisfied
 27 within 30 days of the receipt of a written request. If the
 28 practitioner needs more time to comply with the request, then
 29 within 30 days after receiving the request, the practitioner
 30 must provide the requesting party with a written statement of
 31 the reasons for the delay and the date by which the requested
 32 information will be provided. In any event, the practitioner
 33 must provide the requested information no later than 60 days
 34 after receiving the request.

1 The ~~physieian-er~~ practitioner shall be reimbursed by the
2 person requesting such records at the time of such copying,
3 for all reasonable expenses, including the costs of
4 independent copy service companies, incurred by the ~~physieian~~
5 ~~er~~ practitioner in connection with such copying not to exceed
6 a \$20 handling charge for processing the request for copies,
7 and 75 cents per page for the first through 25th pages, 50
8 cents per page for the 26th through 50th pages, and 25 cents
9 per page for all pages in excess of 50 (except that the
10 charge shall not exceed \$1.25 per page for any copies made
11 from microfiche or microfilm), and actual shipping costs.
12 These rates shall be automatically adjusted as set forth in
13 Section 8-2006. The physician or other practitioner may,
14 however, charge for the reasonable cost of all duplication of
15 record material or information that cannot routinely be
16 copied or duplicated on a standard commercial photocopy
17 machine such as x-ray films or pictures.

18 A health care practitioner must provide the public with
19 at least 30 days prior notice of the closure of the
20 practitioner's practice. The notice must include an
21 explanation of how copies of the practitioner's records may
22 be accessed by patients. The notice may be given by
23 publication in a newspaper of general circulation in the area
24 in which the health care practitioner's practice is located.

25 ~~The-requirements--of--this--Section--shall--be--satisfied~~
26 ~~within--60--days--of--the--receipt--of--a--request--by--a--patient--or~~
27 ~~his--or--her--physieian,7-praetitioner,7-or-authorized-attorney.~~

28 Failure to comply with the time limit requirement of this
29 Section shall subject the denying party to expenses and
30 reasonable attorneys' fees incurred in connection with any
31 court ordered enforcement of the provisions of this Section.
32 (Source: P.A. 84-7; 92-228, eff. 9-1-01.)

1 Section 6. The Code of Civil Procedure is amended by
2 repealing Section 8-2004.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.