

1 AN ACT concerning burn injury reporting.

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

4 Section 1. Short title. This Act may be cited as the Burn
5 Injury Reporting Act.

6 Section 5. Burn injury reporting.

7 (a) Every case of a burn injury treated in a hospital as
8 described in this Act may be reported to the Office of the
9 State Fire Marshal. The hospital's administrator, manager,
10 superintendent, or his or her designee deciding to report under
11 this Act shall make an oral report of every burn injury in a
12 timely manner as soon as treatment permits, except as provided
13 in subsection (c) of this Section, that meets one of the
14 following criteria:

15 (1) a person receives a serious second-degree burn or a
16 third degree burn, but not a radiation burn, to 10% or more
17 of the person's body as a whole;

18 (2) a person sustains a burn to the upper respiratory
19 tract or occurring laryngeal edema due to the inhalation of
20 superheated air;

21 (3) a person sustains any burn injury likely to result
22 in death; or

23 (4) a person sustains any other burn injury not
24 excluded by subsection (c).

25 (b) The oral report shall consist of notification by
26 telephone to the Office of the State Fire Marshal using a
27 toll-free number established by the Office of the State Fire
28 Marshal for this purpose.

29 (c) A hospital's administrator, manager, superintendent,
30 or his or her designee deciding to report under this Act shall
31 not report any of the following burn injuries:

32 (1) a burn injury of a first responder, as defined in

1 Section 3.60 of the Emergency Medical Services (EMS)
2 Systems Act, sustained in the line of duty;

3 (2) a burn injury caused by lighting;

4 (3) a burn injury caused by a motor vehicle accident;

5 or

6 (4) a burn injury caused by an identifiable industrial
7 accident or work-related accident.

8 Section 10. Report contents. The report shall consist of
9 the following reported information to the extent available:

10 (1) Name, address, and date of birth of the victim.

11 (2) Address where the burn injury occurred.

12 (3) Date and time of the burn occurrence.

13 (4) Degree of burn injury, percentage of the body
14 affected by the burn injury, and the specific area of the
15 body affected by the burn injury.

16 (5) The name and address of the facility treating the
17 patient.

18 Section 15. Confidentiality. Information collected in
19 these reports that could identify the hospital, any health care
20 professional, any hospital staff, or the patient shall remain
21 confidential and only be divulged as needed in the
22 investigation or prosecution of a criminal offense. No
23 information shall be included in the report naming or
24 identifying any health care professional or hospital staff. The
25 hospital medical records shall only be disclosed in accordance
26 with Illinois law and the federal Health Insurance Portability
27 and Accountability Act of 1996 and its rules.

28 Section 20. Good faith. With the exception of willful and
29 wanton misconduct, any individual who in good faith acts in
30 accordance with the terms of this Act or assisting in reporting
31 shall not be subject to any civil or criminal liability or
32 discipline for unprofessional conduct.

1 Section 25. Application. This Act applies only to hospitals
2 that treat a patient initially for a burn injury. This Act does
3 not apply to a hospital that receives a patient who has been
4 transferred for a burn that was initially treated at another
5 hospital. Nothing in this Act shall be construed to require a
6 hospital to report burn injuries.

7 Section 30. Public information campaign. The Office of the
8 State Fire Marshal shall conduct a public information campaign
9 working in conjunction with hospitals, physicians, fire
10 investigators, and law enforcement to inform hospitals of the
11 opportunity to report burn injuries to the toll-free number
12 maintained by the Office pursuant to this Act.

13 Section 300. The Regulatory Sunset Act is amended by adding
14 Section 4.19a as follows:

15 (5 ILCS 80/4.19a new)

16 Sec. 4.19a. Act repealed on January 1, 2009. The following
17 Act is repealed on January 1, 2009:

18 The Burn Injury Reporting Act.