



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5558

Introduced 01/27/06, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

20 ILCS 2630/3.2

from Ch. 38, par. 206-3.2

Amends the Criminal Identification Act. Expands the circumstances under which medical personnel must notify local law enforcement of injuries. Requires notification for injuries that reasonably appear to have resulted from stabbing. Provides that injuries that must be reported by medical personnel if sustained in the commission of or as a victim of a criminal offense, include, but are not limited to: death, head injury (skull fracture, brain damage, or bleeding in the brain, such as subdural hematoma or shaken-baby syndrome), internal injury, burning, scalding, poison or noxious substance exposure, bone fracture, sexual penetration, and any other physical injury suggestive of or related to sexual molestation or sexual exploitation. Provides that any hospital, physician, or nurse who willfully fails to notify the local law enforcement agency as required shall be reported to the appropriate professional organizations and the Department of Financial and Professional Regulation for disciplinary action and, for a first offense, is guilty of a Class A misdemeanor. Sets forth that any person who violates this reporting requirement a second or subsequent time commits a Class 4 felony. Effective immediately.

LRB094 16487 RSP 51747 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The Criminal Identification Act is amended by
5 changing Section 3.2 as follows:

6 (20 ILCS 2630/3.2) (from Ch. 38, par. 206-3.2)

7 Sec. 3.2. It is the duty of any person conducting or
8 operating a medical facility, or any physician or nurse as soon
9 as treatment permits to notify the local law enforcement agency
10 of that jurisdiction upon the application for treatment of a
11 person (adult or minor) who is not accompanied by a law
12 enforcement officer, when it reasonably appears that the person
13 requesting treatment has received:

14 (1) any injury resulting from the discharge of a
15 firearm or stabbing; or

16 (2) any injury sustained in the commission of or as a
17 victim of a criminal offense, including, but not limited
18 to: death, head injury (skull fracture, brain damage, or
19 bleeding in the brain, such as subdural hematoma or
20 shaken-baby syndrome), internal injury, burning, scalding,
21 poison or noxious substance exposure, bone fracture,
22 sexual penetration, and any other physical injury
23 suggestive of or related to sexual molestation or sexual
24 exploitation.

25 Any hospital, physician or nurse shall be forever held
26 harmless from any civil liability for their reasonable
27 compliance with the provisions of this Section.

28 Any hospital, physician, or nurse who willfully fails to
29 notify the local law enforcement agency as required by this
30 Section shall be reported to the appropriate professional
31 organizations and the Department of Financial and Professional
32 Regulation for disciplinary action and, for a first offense, is

1 guilty of a Class A misdemeanor. Any person who violates this
2 Section a second or subsequent time is guilty of a Class 4
3 felony.

4 (Source: P.A. 86-1475.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.