

SB1878



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1878

Introduced 2/25/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

410 ILCS 70/5

from Ch. 111 1/2, par. 87-5

Amends the Sexual Assault Survivors Emergency Treatment Act. Provides that every hospital providing emergency hospital services to an alleged sexual assault survivor under the Act shall provide such medication as is deemed appropriate, including HIV prophylaxis.

LRB094 11451 RXD 42372 b

A BILL FOR

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 Sexual Assault Survivors Emergency
5 Treatment Act is amended by changing Section 5 as follows:

6 (410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

7 Sec. 5. Minimum requirements for hospitals providing
8 emergency service to sexual assault survivors.

9 (a) Every hospital providing emergency hospital services
10 to an alleged sexual assault survivor under this Act shall, as
11 minimum requirements for such services, provide, with the
12 consent of the alleged sexual assault survivor, and as ordered
13 by the attending physician, an advanced practice nurse who has
14 a written collaborative agreement with a collaborating
15 physician that authorizes provision of emergency services, or a
16 physician assistant who has been delegated authority to provide
17 emergency services, the following:

18 (1) appropriate medical examinations and laboratory
19 tests required to ensure the health, safety, and welfare of
20 an alleged sexual assault survivor or which may be used as
21 evidence in a criminal proceeding against a person accused
22 of the sexual assault, or both; and records of the results
23 of such examinations and tests shall be maintained by the
24 hospital and made available to law enforcement officials
25 upon the request of the alleged sexual assault survivor;

26 (2) appropriate oral and written information
27 concerning the possibility of infection, sexually
28 transmitted disease and pregnancy resulting from sexual
29 assault;

30 (3) appropriate oral and written information
31 concerning accepted medical procedures, medication, and
32 possible contraindications of such medication available

1 for the prevention or treatment of infection or disease
2 resulting from sexual assault;

3 (4) such medication as is deemed appropriate by the
4 attending physician, an advanced practice nurse, or a
5 physician assistant, including HIV prophylaxis;

6 (5) a blood test to determine the presence or absence
7 of sexually transmitted disease;

8 (6) written and oral instructions indicating the need
9 for a second blood test 6 weeks after the sexual assault to
10 determine the presence or absence of sexually transmitted
11 disease; and

12 (7) appropriate counseling as determined by the
13 hospital, by trained personnel designated by the hospital.

14 (b) Any minor who is an alleged survivor of sexual assault
15 who seeks emergency services under this Act shall be provided
16 such services without the consent of the parent, guardian or
17 custodian of the minor.

18 (Source: P.A. 93-962, eff. 8-20-04.)