

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by  
5 changing Section 8-2001 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" means  
9 a public or private hospital, ambulatory surgical treatment  
10 center, nursing home, independent practice association, or  
11 physician hospital organization, or any other entity where  
12 health care services are provided to any person. The term does  
13 not include an organizational structure whose records are  
14 subject to Section 8-2003.

15 Every private and public health care facility shall, upon  
16 the request of any patient who has been treated in such health  
17 care facility, or any person, entity, or organization  
18 presenting a valid authorization for the release of records  
19 signed by the patient or the patient's legally authorized  
20 representative, permit the patient, his or her physician, ~~or~~  
21 authorized attorney, or any person, entity, or organization  
22 presenting a valid authorization for the release of records  
23 signed by the patient or the patient's legally authorized  
24 representative to examine the health care facility patient care  
25 records, including but not limited to the history, bedside  
26 notes, charts, pictures and plates, kept in connection with the  
27 treatment of such patient, and permit copies of such records to  
28 be made by him or her or his or her physician or authorized  
29 attorney. A request for copies of the records shall be in  
30 writing and shall be delivered to the administrator or manager  
31 of such health care facility. The health care facility shall be  
32 reimbursed by the person requesting copies of records at the

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

16 The requirements of this Section shall be satisfied within  
17 30 days of the receipt of a written request by a patient or by  
18 his or her legally authorized representative, physician, ~~or~~  
19 authorized attorney, or any person, entity, or organization  
20 presenting a valid authorization for the release of records  
21 signed by the patient or the patient's legally authorized  
22 representative. If the health care facility needs more time to  
23 comply with the request, then within 30 days after receiving  
24 the request, the facility must provide the requesting party  
25 with a written statement of the reasons for the delay and the  
26 date by which the requested information will be provided. In  
27 any event, the facility must provide the requested information  
28 no later than 60 days after receiving the request.

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

35 Failure to comply with the time limit requirement of this  
36 Section shall subject the denying party to expenses and

1 reasonable attorneys' fees incurred in connection with any  
2 court ordered enforcement of the provisions of this Section.

3 (Source: P.A. 92-228, eff. 9-1-01; 93-87, eff. 7-2-03.)