



Health Care Availability and Access Committee

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09500HB4485ham001

LRB095 17194 RAS 47010 a

1 AMENDMENT TO HOUSE BILL 4485

2 AMENDMENT NO. _____. Amend House Bill 4485 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Physical Fitness Facility Medical
5 Emergency Preparedness Act is amended by changing Section 15 as
6 follows:

7 (210 ILCS 74/15)

8 Sec. 15. Automated external defibrillator required.

9 (a) By the dates specified in Section 50, every physical
10 fitness facility must have at least one AED on the facility
11 premises. The Department shall adopt rules to ensure
12 coordination with local emergency medical services systems
13 regarding the placement and use of AEDs in physical fitness
14 facilities. The Department may adopt rules requiring a facility
15 to have more than one AED on the premises, based on factors
16 that include the following:

1 (1) The size of the area or the number of buildings or
2 floors occupied by the facility.

3 (2) The number of persons using the facility, excluding
4 spectators.

5 (b) A physical fitness facility must ensure that there is a
6 trained AED user on staff during staffed business hours.

7 (c) Every physical fitness facility must ensure that every
8 AED on the facility's premises is properly tested and
9 maintained in accordance with rules adopted by the Department.

10 (Source: P.A. 93-910, eff. 1-1-05.)

11 Section 10. The Illinois Dental Practice Act is amended by
12 adding Section 44.5 as follows:

13 (225 ILCS 25/44.5 new)

14 Sec. 44.5. Emergency medical plan; AED.

15 (a) Each dental office in this State must develop and
16 implement an emergency medical plan, which shall include
17 without limitation recognized training standards on emergency
18 procedures.

19 (b) All dental offices that administer anesthesia or
20 sedation, as set forth in Section 8.1 of this Act, must contain
21 at least one automated external defibrillator (AED) on the
22 premises at all times.

23 (c) The owner of a dental office is responsible for
24 complying with the requirements of this Section.

1 (d) Notwithstanding any other rulemaking authority that
2 may exist, neither the Governor nor any agency or agency head
3 under the jurisdiction of the Governor has any authority to
4 make or promulgate rules to implement or enforce the provisions
5 of this amendatory Act of the 95th General Assembly. If,
6 however, the Governor believes that rules are necessary to
7 implement or enforce the provisions of this amendatory Act of
8 the 95th General Assembly, the Governor may suggest rules to
9 the General Assembly by filing them with the Clerk of the House
10 and the Secretary of the Senate and by requesting that the
11 General Assembly authorize such rulemaking by law, enact those
12 suggested rules into law, or take any other appropriate action
13 in the General Assembly's discretion. Nothing contained in this
14 amendatory Act of the 95th General Assembly shall be
15 interpreted to grant rulemaking authority under any other
16 Illinois statute where such authority is not otherwise
17 explicitly given. For the purposes of this amendatory Act of
18 the 95th General Assembly, "rules" is given the meaning
19 contained in Section 1-70 of the Illinois Administrative
20 Procedure Act, and "agency" and "agency head" are given the
21 meanings contained in Sections 1-20 and 1-25 of the Illinois
22 Administrative Procedure Act to the extent that such
23 definitions apply to agencies or agency heads under the
24 jurisdiction of the Governor.

25 Section 15. The Physical Fitness Services Act is amended by

1 changing Section 14 as follows:

2 (815 ILCS 645/14) (from Ch. 29, par. 60.4)

3 Sec. 14. (a) A physical fitness center shall have available
4 and on its premises, during staffed business hours ~~at all times~~
5 ~~during which members of such physical fitness center or other~~
6 ~~persons are engaged in physical fitness activities or receiving~~
7 ~~physical fitness services~~, at least one person who holds a
8 valid certificate indicating that he has successfully
9 completed a course of training in basic cardiopulmonary
10 resuscitation which complies with generally recognized
11 standards for basic cardiopulmonary resuscitation.

12 (b) A person holding a valid certificate who in good faith
13 provides emergency cardiopulmonary resuscitation to a member
14 of the physical fitness center or other person shall not be
15 liable for his act or omission in providing such resuscitation,
16 unless such act or omission was willful or wanton, as provided
17 in Section 17 of the "Emergency Medical Services (EMS) Systems
18 Act", as now or hereafter amended.

19 (c) For the purposes of this Section, the term "physical
20 fitness center" includes not-for-profit entities which offer
21 physical fitness services to the public. A "physical fitness
22 center" does not include any facility operated by a group or
23 association of private individuals solely for the benefit or
24 use of such individuals and not open to the public.

25 (Source: P.A. 84-1308.)".