

1 AN ACT concerning regulation.

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

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

6 (210 ILCS 74/15)

7 Sec. 15. Automated external defibrillator required.

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

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

18 (2) The number of persons using the facility, excluding  
19 spectators.

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

22 (c) Every physical fitness facility must ensure that every  
23 AED on the facility's premises is properly tested and

1 maintained in accordance with rules adopted by the Department.

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

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

5 (225 ILCS 25/44.5 new)

6 Sec. 44.5. Emergency medical plan; AED.

7 (a) Each dental office in this State must develop and  
8 implement an emergency medical plan, which shall include  
9 without limitation recognized training standards on emergency  
10 procedures.

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

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

17 (d) Notwithstanding any other rulemaking authority that  
18 may exist, neither the Governor nor any agency or agency head  
19 under the jurisdiction of the Governor has any authority to  
20 make or promulgate rules to implement or enforce the provisions  
21 of this amendatory Act of the 95th General Assembly. If,  
22 however, the Governor believes that rules are necessary to  
23 implement or enforce the provisions of this amendatory Act of  
24 the 95th General Assembly, the Governor may suggest rules to

1 the General Assembly by filing them with the Clerk of the House  
2 and the Secretary of the Senate and by requesting that the  
3 General Assembly authorize such rulemaking by law, enact those  
4 suggested rules into law, or take any other appropriate action  
5 in the General Assembly's discretion. Nothing contained in this  
6 amendatory Act of the 95th General Assembly shall be  
7 interpreted to grant rulemaking authority under any other  
8 Illinois statute where such authority is not otherwise  
9 explicitly given. For the purposes of this amendatory Act of  
10 the 95th General Assembly, "rules" is given the meaning  
11 contained in Section 1-70 of the Illinois Administrative  
12 Procedure Act, and "agency" and "agency head" are given the  
13 meanings contained in Sections 1-20 and 1-25 of the Illinois  
14 Administrative Procedure Act to the extent that such  
15 definitions apply to agencies or agency heads under the  
16 jurisdiction of the Governor.

17 Section 15. The Physical Fitness Services Act is amended by  
18 changing Section 14 as follows:

19 (815 ILCS 645/14) (from Ch. 29, par. 60.4)

20 Sec. 14. (a) A physical fitness center shall have available  
21 and on its premises, during staffed business hours ~~at all times~~  
22 ~~during which members of such physical fitness center or other~~  
23 ~~persons are engaged in physical fitness activities or receiving~~  
24 ~~physical fitness services~~, at least one person who holds a

1 valid certificate indicating that he has successfully  
2 completed a course of training in basic cardiopulmonary  
3 resuscitation which complies with generally recognized  
4 standards for basic cardiopulmonary resuscitation.

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

12 (c) For the purposes of this Section, the term "physical  
13 fitness center" includes not-for-profit entities which offer  
14 physical fitness services to the public. A "physical fitness  
15 center" does not include any facility operated by a group or  
16 association of private individuals solely for the benefit or  
17 use of such individuals and not open to the public.

18 (Source: P.A. 84-1308.)