

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 Emergency Medical Services (EMS) Systems Act
5 is amended by changing Section 32.5 as follows:

6 (210 ILCS 50/32.5)

7 Sec. 32.5. Freestanding Emergency Center.

8 (a) The ~~Until June 30, 2009, the~~ Department shall issue an
9 annual Freestanding Emergency Center (FEC) license to any
10 facility that has received a permit from the Illinois Health
11 Facilities Planning Board to establish a Freestanding
12 Emergency Center if the application for the permit has been
13 deemed complete by the Department of Public Health by March 1,
14 2009, and:

15 (1) is located: (A) in a municipality with a population
16 of 75,000 or fewer inhabitants; (B) within 20 miles of the
17 hospital that owns or controls the FEC; and (C) within 20
18 miles of the Resource Hospital affiliated with the FEC as
19 part of the EMS System;

20 (2) is wholly owned or controlled by an Associate or
21 Resource Hospital, but is not a part of the hospital's
22 physical plant;

23 (3) meets the standards for licensed FECs, adopted by

1 rule of the Department, including, but not limited to:

2 (A) facility design, specification, operation, and
3 maintenance standards;

4 (B) equipment standards; and

5 (C) the number and qualifications of emergency
6 medical personnel and other staff, which must include
7 at least one board certified emergency physician
8 present at the FEC 24 hours per day.

9 (4) limits its participation in the EMS System strictly
10 to receiving a limited number of BLS runs by emergency
11 medical vehicles according to protocols developed by the
12 Resource Hospital within the FEC's designated EMS System
13 and approved by the Project Medical Director and the
14 Department;

15 (5) provides comprehensive emergency treatment
16 services, as defined in the rules adopted by the Department
17 pursuant to the Hospital Licensing Act, 24 hours per day,
18 on an outpatient basis;

19 (6) provides an ambulance and maintains on site
20 ambulance services staffed with paramedics 24 hours per
21 day;

22 (7) maintains helicopter landing capabilities approved
23 by appropriate State and federal authorities;

24 (8) complies with all State and federal patient rights
25 provisions, including, but not limited to, the Emergency
26 Medical Treatment Act and the federal Emergency Medical

1 Treatment and Active Labor Act;

2 (9) maintains a communications system that is fully
3 integrated with its Resource Hospital within the FEC's
4 designated EMS System;

5 (10) reports to the Department any patient transfers
6 from the FEC to a hospital within 48 hours of the transfer
7 plus any other data determined to be relevant by the
8 Department;

9 (11) submits to the Department, on a quarterly basis,
10 the FEC's morbidity and mortality rates for patients
11 treated at the FEC and other data determined to be relevant
12 by the Department;

13 (12) does not describe itself or hold itself out to the
14 general public as a full service hospital or hospital
15 emergency department in its advertising or marketing
16 activities;

17 (13) complies with any other rules adopted by the
18 Department under this Act that relate to FECs;

19 (14) passes the Department's site inspection for
20 compliance with the FEC requirements of this Act;

21 (15) submits a copy of the permit issued by the
22 Illinois Health Facilities Planning Board indicating that
23 the facility has complied with the Illinois Health
24 Facilities Planning Act with respect to the health services
25 to be provided at the facility;

26 (16) submits an application for designation as an FEC

1 in a manner and form prescribed by the Department by rule;
2 and

3 (17) pays the annual license fee as determined by the
4 Department by rule.

5 (b) The Department shall:

6 (1) annually inspect facilities of initial FEC
7 applicants and licensed FECs, and issue annual licenses to
8 or annually relicense FECs that satisfy the Department's
9 licensure requirements as set forth in subsection (a);

10 (2) suspend, revoke, refuse to issue, or refuse to
11 renew the license of any FEC, after notice and an
12 opportunity for a hearing, when the Department finds that
13 the FEC has failed to comply with the standards and
14 requirements of the Act or rules adopted by the Department
15 under the Act;

16 (3) issue an Emergency Suspension Order for any FEC
17 when the Director or his or her designee has determined
18 that the continued operation of the FEC poses an immediate
19 and serious danger to the public health, safety, and
20 welfare. An opportunity for a hearing shall be promptly
21 initiated after an Emergency Suspension Order has been
22 issued; and

23 (4) adopt rules as needed to implement this Section.

24 (Source: P.A. 95-584, eff. 8-31-07.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.