



Sen. Heather Steans

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LRB096 05347 RPM 44241 a

1 AMENDMENT TO HOUSE BILL 1720

2 AMENDMENT NO. _____. Amend House Bill 1720 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Hospital Licensing Act is amended by
5 changing Sections 3 and 4.6 as follows:

6 (210 ILCS 85/3)

7 Sec. 3. As used in this Act:

8 (A) "Hospital" means any institution, place, building,
9 buildings on a campus, or agency, public or private, whether
10 organized for profit or not, devoted primarily to the
11 maintenance and operation of facilities for the diagnosis and
12 treatment or care of 2 or more unrelated persons admitted for
13 overnight stay or longer in order to obtain medical, including
14 obstetric, psychiatric and nursing, care of illness, disease,
15 injury, infirmity, or deformity.

16 The term "hospital", without regard to length of stay,

1 shall also include:

2 (a) any facility which is devoted primarily to
3 providing psychiatric and related services and programs
4 for the diagnosis and treatment or care of 2 or more
5 unrelated persons suffering from emotional or nervous
6 diseases;

7 (b) all places where pregnant females are received,
8 cared for, or treated during delivery irrespective of the
9 number of patients received.

10 The term "hospital" includes general and specialized
11 hospitals, tuberculosis sanitarium, mental or psychiatric
12 hospitals and sanitarium, and includes maternity homes,
13 lying-in homes, and homes for unwed mothers in which care is
14 given during delivery.

15 The term "hospital" does not include:

16 (1) any person or institution required to be licensed
17 pursuant to the Nursing Home Care Act or the MR/DD
18 Community Care Act;

19 (2) hospitalization or care facilities maintained by
20 the State or any department or agency thereof, where such
21 department or agency has authority under law to establish
22 and enforce standards for the hospitalization or care
23 facilities under its management and control;

24 (3) hospitalization or care facilities maintained by
25 the federal government or agencies thereof;

26 (4) hospitalization or care facilities maintained by

1 any university or college established under the laws of
2 this State and supported principally by public funds raised
3 by taxation;

4 (5) any person or facility required to be licensed
5 pursuant to the Alcoholism and Other Drug Abuse and
6 Dependency Act;

7 (6) any facility operated solely by and for persons who
8 rely exclusively upon treatment by spiritual means through
9 prayer, in accordance with the creed or tenets of any
10 well-recognized church or religious denomination;

11 (7) an Alzheimer's disease management center
12 alternative health care model licensed under the
13 Alternative Health Care Delivery Act; or

14 (8) any veterinary hospital or clinic operated by a
15 veterinarian or veterinarians licensed under the
16 Veterinary Medicine and Surgery Practice Act of 2004 or
17 maintained by a State-supported or publicly funded
18 university or college.

19 (B) "Person" means the State, and any political subdivision
20 or municipal corporation, individual, firm, partnership,
21 corporation, company, association, or joint stock association,
22 or the legal successor thereof.

23 (C) "Department" means the Department of Public Health of
24 the State of Illinois.

25 (D) "Director" means the Director of Public Health of the
26 State of Illinois.

1 (E) "Perinatal" means the period of time between the
2 conception of an infant and the end of the first month after
3 birth.

4 (F) "Federally designated organ procurement agency" means
5 the organ procurement agency designated by the Secretary of the
6 U.S. Department of Health and Human Services for the service
7 area in which a hospital is located; except that in the case of
8 a hospital located in a county adjacent to Wisconsin which
9 currently contracts with an organ procurement agency located in
10 Wisconsin that is not the organ procurement agency designated
11 by the U.S. Secretary of Health and Human Services for the
12 service area in which the hospital is located, if the hospital
13 applies for a waiver pursuant to 42 USC 1320b-8(a), it may
14 designate an organ procurement agency located in Wisconsin to
15 be thereafter deemed its federally designated organ
16 procurement agency for the purposes of this Act.

17 (G) "Tissue bank" means any facility or program operating
18 in Illinois that is certified by the American Association of
19 Tissue Banks or the Eye Bank Association of America and is
20 involved in procuring, furnishing, donating, or distributing
21 corneas, bones, or other human tissue for the purpose of
22 injecting, transfusing, or transplanting any of them into the
23 human body. "Tissue bank" does not include a licensed blood
24 bank. For the purposes of this Act, "tissue" does not include
25 organs.

26 (H) "Campus", as this terms applies to operations, has the

1 same meaning as the term "campus" as set forth in federal
2 Medicare regulations, 42 CFR 413.65.

3 (Source: P.A. 96-219, eff. 8-10-09; 96-339, eff. 7-1-10;
4 96-1000, eff. 7-2-10.)

5 (210 ILCS 85/4.6)

6 Sec. 4.6. Additional licensing requirements.

7 (a) Notwithstanding any other law or rule to the contrary,
8 the Department may license as a hospital a building that (i) is
9 owned or operated by a hospital licensed under this Act, (ii)
10 is located in a municipality with a population of less than
11 60,000, and (iii) includes a postsurgical recovery care center
12 licensed under the Alternative Health Care Delivery Act for a
13 period of not less than 2 years, an ambulatory surgical
14 treatment center licensed under the Ambulatory Surgical
15 Treatment Center Act, and a Freestanding Emergency Center
16 licensed under the Emergency Medical Services (EMS) Systems
17 Act. Only the components of the building which are currently
18 licensed shall be eligible under the provisions of this
19 Section.

20 (b) Prior to issuing a license, the Department shall
21 inspect the facility and require the facility to meet such of
22 the Department's rules relating to the establishment of
23 hospitals as the Department determines are appropriate to such
24 facility. Once the Department approves the facility and issues
25 a hospital license, all other licenses as listed in subsection

1 (a) above shall be null and void.

2 (c) Only one license may be issued under the authority of
3 this Section. No license may be issued after 18 months after
4 the effective date of this amendatory Act of the 91st General
5 Assembly.

6 (d) Beginning on the effective date of this amendatory Act
7 of the 96th General Assembly, each hospital building or
8 facility that is (i) located on the campus of the licensee but
9 on a site that is not contiguous, adjacent, or otherwise
10 attached to the main hospital building of the campus of the
11 licensee, (ii) operated by the licensee, and (iii) provides
12 inpatient services to patients at this building or facility
13 shall, at a minimum, individually comply with the Department's
14 hospital licensing requirements for emergency services. The
15 hospital shall submit to the Department a comprehensive plan
16 describing the services and operations of each facility or
17 building and how common services or operations will be
18 coordinated between the various locations. The Department
19 shall review the plan and may authorize a waiver granting an
20 exemption for compliance with the hospital licensing
21 requirements for specific buildings or facilities, including
22 requirements for emergency services, provided that the
23 hospital has documented which other building or facility under
24 its single license provides that service or operation, and that
25 doing so would not endanger the public's health, safety, or
26 welfare. Nothing in this Section relieves a hospital from the

1 requirements of the Illinois Health Facilities Planning Act.

2 (Source: P.A. 91-736, eff. 6-2-00.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".