



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4047

Introduced 2/27/2009, by Rep. Timothy L. Schmitz

SYNOPSIS AS INTRODUCED:

New Act

Creates the Infectious Disease Notification Act. Provides that if a victim of an emergency is transported by emergency response employees to a medical facility and the medical facility makes a determination that the victim has an airborne infectious disease or any other communicable disease, then the medical facility shall notify the designated officer of the emergency response employees. Provides that if a victim of an emergency is transported by emergency response employees to a medical facility and the victim dies at or before reaching the medical facility, the medical facility shall notify the designated officer of the emergency response employees of any determination that the victim had an airborne infectious disease or communicable disease. Sets forth procedures for requesting notification from a medical facility. Provides that the Department of Public Health shall adopt rules that it deems necessary for the efficient administration of the Act. Provides that to the extent that the provisions of this Act conflict with any provision of the AIDS Confidentiality Act, the provisions of the AIDS Confidentiality Act shall control.

LRB096 11708 RPM 22417 b

1 AN ACT concerning health.

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

4 Section 1. Short title. This Act may be cited as the
5 Infectious Disease Notification Act.

6 Section 5. Notification of designated officer.

7 (a) If a victim of an emergency is transported by emergency
8 response employees to a medical facility and the medical
9 facility makes a determination that the victim has an airborne
10 infectious disease or any other communicable disease, then the
11 medical facility shall notify the designated officer of the
12 emergency response employees who transported the victim to the
13 medical facility of the determination.

14 (b) If a victim of an emergency is transported by emergency
15 response employees to a medical facility and the victim dies at
16 or before reaching the medical facility, the medical facility
17 ascertaining the cause of death shall notify the designated
18 officer of the emergency response employees who transported the
19 victim to the initial medical facility of any determination by
20 the medical facility that the victim had an airborne infectious
21 disease or communicable disease.

22 Section 10. Requests for notification.

1 (a) If an emergency response employee believes that the
2 employee may have been exposed to an infectious disease by a
3 victim of an emergency who was transported to a medical
4 facility as a result of the emergency and if the employee
5 attended, treated, assisted, or transported the victim
6 pursuant to the emergency, then the designated officer of the
7 employee shall, upon the request of the employee, carry out the
8 duties described in subsection (b) of this Section concerning a
9 determination of whether the employee may have been exposed to
10 an infectious disease by the victim.

11 (b) The duties concerning a determination of whether the
12 employee may have been exposed to an infectious disease by the
13 victim are as follows:

14 (1) the designated officer involved shall collect the
15 facts relating to the circumstances under which, for
16 purposes of subsection (a) of this Section, the employee
17 involved may have been exposed to an infectious disease;
18 and

19 (2) the designated officer shall evaluate the facts and
20 make a determination of whether, if the victim involved had
21 any known infectious disease, the employee would have been
22 exposed to the disease under such facts.

23 (c) If a designated officer makes a determination under
24 item (2) of subsection (b) of this Section that an emergency
25 response employee may have been exposed to an infectious
26 disease, the designated officer shall submit to the medical

1 facility to which the victim involved was transported a request
2 for a response under subsection (d) of this Section concerning
3 the victim of the emergency involved. The request shall be in
4 writing and be signed by the designated officer involved, and
5 shall contain a statement of the facts collected pursuant to
6 item (1) of subsection (b).

7 (d) The procedures concerning an evaluation of and response
8 to a request to a medical facility pursuant to this Act are as
9 follows:

10 (1) If a medical facility receives a request under
11 subsection (c) of this Section, then the medical facility
12 shall evaluate the facts submitted in the request and make
13 a determination of whether, on the basis of the medical
14 information possessed by the facility regarding the victim
15 involved, the emergency response employee was exposed to a
16 known infectious disease.

17 (2) If a medical facility makes a determination under
18 item (1) of this subsection (d) that the emergency response
19 employee involved has been exposed to an infectious
20 disease, then the medical facility shall, in writing,
21 notify the designated officer who submitted the request of
22 the determination.

23 (3) If a medical facility makes a determination under
24 item (1) of this subsection (d) that the emergency response
25 employee involved has not been exposed to an infectious
26 disease, then the medical facility shall, in writing,

1 inform the designated officer who submitted the request of
2 the determination.

3 Section 15. Rules. The Department of Public Health shall
4 adopt rules that it deems necessary for the efficient
5 administration of this Act.

6 Section 20. Relationship to other Acts. To the extent that
7 the provisions of this Act conflict with any provision of the
8 AIDS Confidentiality Act, the provisions of the AIDS
9 Confidentiality Act shall control.