



Rep. Mary E. Flowers

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09700HB1474ham001

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1 AMENDMENT TO HOUSE BILL 1474

2 AMENDMENT NO. _____. Amend House Bill 1474 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by reenacting
5 Section 5.661 as follows:

6 (30 ILCS 105/5.661)

7 Sec. 5.661. The Sorry Works! Fund.

8 (Source: P.A. 94-677, eff. 8-25-05; 95-331, eff. 8-21-07.)

9 Section 10. The Sorry Works! Pilot Program Act is amended
10 by reenacting the heading of Article 4 and Sections 401, 405,
11 and 410 and by reenacting and changing Section 415 as follows:

12 (710 ILCS 45/Art. 4 heading)

13 ARTICLE 4. SORRY WORKS! PILOT PROGRAM ACT

14 (Source: P.A. 94-677, eff. 8-25-05.)

1 (710 ILCS 45/401)

2 Sec. 401. Short title. This Article 4 may be cited as the
3 Sorry Works! Pilot Program Act, and references in this Article
4 to "this Act" mean this Article.

5 (Source: P.A. 94-677, eff. 8-25-05.)

6 (710 ILCS 45/405)

7 Sec. 405. Sorry Works! pilot program. The Sorry Works!
8 pilot program is established. During the first year of the
9 program's operation, participation in the program shall be open
10 to one hospital. Hospitals may participate only with the
11 approval of the hospital administration and the hospital's
12 organized medical staff. During the second year of the
13 program's operation, participation in the program shall be open
14 to one additional hospital.

15 The first participating hospital selected by the committee
16 established under Section 410 shall be located in a county with
17 a population greater than 200,000 that is contiguous with the
18 Mississippi River.

19 Under the program, participating hospitals and physicians
20 shall promptly acknowledge and apologize for mistakes in
21 patient care and promptly offer fair settlements.
22 Participating hospitals shall encourage patients and families
23 to retain their own legal counsel to ensure that their rights
24 are protected and to help facilitate negotiations for fair

1 settlements. Participating hospitals shall report to the
2 committee their total costs for healing art malpractice
3 verdicts, settlements, and defense litigation for the
4 preceding 5 years to enable the committee to determine average
5 costs for that hospital during that period. The committee shall
6 develop standards and protocols to compare costs for cases
7 handled by traditional means and cases handled under the Sorry
8 Works! protocol.

9 If the committee determines that the total costs of cases
10 handled under the Sorry Works! protocol by a hospital
11 participating in the program exceed the total costs that would
12 have been incurred if the cases had been handled by traditional
13 means, the hospital may apply for a grant from the Sorry Works!
14 Fund, a special fund that is created in the State Treasury, for
15 an amount, as determined by the committee, by which the total
16 costs exceed the total costs that would have been incurred if
17 the cases had been handled by traditional means; however, the
18 total of all grants from the Fund for cases in any single
19 participating hospital in any year may not exceed the amount in
20 the Fund or \$2,000,000, whichever is less. All grants shall be
21 subject to appropriation. Moneys in the Fund shall consist of
22 funds transferred into the Fund or otherwise made available
23 from any source.

24 (Source: P.A. 94-677, eff. 8-25-05.)

1 Sec. 410. Establishment of committee.

2 (a) A committee is established to develop, oversee, and
3 implement the Sorry Works! pilot program. The committee shall
4 have 9 members, each of whom shall be a voting member. Six
5 members of the committee shall constitute a quorum. The
6 committee shall be comprised as follows:

7 (1) The President of the Senate, the Minority Leader of
8 the Senate, the Speaker of the House of Representatives,
9 and the Minority Leader of the House of Representatives
10 shall each appoint 2 members.

11 (2) The Secretary of Financial and Professional
12 Regulation or his or her designee.

13 (b) The committee shall establish criteria for the program,
14 including but not limited to: selection of hospitals,
15 physicians, and insurers to participate in the program; and
16 creation of a subcommittee to review cases from hospitals and
17 determine whether hospitals, physicians, and insurers are
18 entitled to compensation under the program.

19 (c) The committee shall communicate with hospitals,
20 physicians, and insurers that are interested in participating
21 in the program. The committee shall make final decisions as to
22 which applicants are accepted for the program.

23 (d) The committee shall report to the Governor and the
24 General Assembly annually.

25 (e) The committee shall publish data regarding the program.

26 (f) Committee members shall receive no compensation for the

1 performance of their duties as members, but each member shall
2 be paid necessary expenses while engaged in the performance of
3 those duties.

4 (Source: P.A. 94-677, eff. 8-25-05.)

5 (710 ILCS 45/415)

6 Sec. 415. Termination of program.

7 (a) The program may be terminated at any time if the
8 committee, by a vote of two-thirds of its members, votes to
9 terminate the program.

10 (b) If the program is not terminated under subsection (a),
11 the program shall terminate after its second year of operation
12 following its reenactment by this amendatory Act of the 97th
13 General Assembly.

14 (Source: P.A. 94-677, eff. 8-25-05.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."