



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1377

Introduced 2/8/2011, by Sen. Christine Radogno

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.190

210 ILCS 80/1

210 ILCS 80/1.3 new

from Ch. 111 1/2, par. 86

Amends the Emergency Medical Services (EMS) Systems Act in the provision concerning emergency Department classifications to provide that long-term acute care hospitals, as defined under the Hospital Emergency Services Act, are not required to provide hospital emergency services and shall be classified as not available. Amends the Hospital Emergency Services Act. Provides an exception for long-term acute care hospitals from the requirement that certain hospitals shall provide a hospital emergency service. Provides that general acute care hospitals designated by Medicare as long-term acute care hospitals are not required to provide the hospital emergency services required by the Act. Provides that such hospitals may provide hospital emergency services at their option. Sets forth provisions concerning notification. Effective immediately.

LRB097 06773 RPM 46863 b

1 AN ACT concerning health facilities.

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 3.190 as follows:

6 (210 ILCS 50/3.190)

7 Sec. 3.190. Emergency Department Classifications. The
8 Department shall have the authority and responsibility to:

9 (a) Establish criteria for classifying the emergency
10 departments of all hospitals within the State as Comprehensive,
11 Basic, or Standby. In establishing such criteria, the
12 Department may consult with the Illinois Hospital Licensing
13 Board and incorporate by reference all or part of existing
14 standards adopted as rules pursuant to the Hospital Licensing
15 Act or Emergency Medical Treatment Act;

16 (b) Classify the emergency departments of all hospitals
17 within the State in accordance with this Section;

18 (c) Annually publish, and distribute to all EMS Systems, a
19 list reflecting the classification of all emergency
20 departments.

21 (d) For the purposes of paragraphs (a) and (b) of this
22 Section, long-term acute care hospitals, as defined under the
23 Hospital Emergency Services Act, are not required to provide

1 hospital emergency services and shall be classified as not
2 available.

3 (Source: P.A. 89-177, eff. 7-19-95.)

4 Section 10. The Hospital Emergency Service Act is amended
5 by changing Section 1 and adding Section 1.3 as follows:

6 (210 ILCS 80/1) (from Ch. 111 1/2, par. 86)

7 Sec. 1. Every hospital required to be licensed by the
8 Department of Public Health pursuant to the Hospital Licensing
9 Act which provides general medical and surgical hospital
10 services, except long-term acute care hospitals identified in
11 Section 1.3 of this Act, shall provide a hospital emergency
12 service in accordance with rules and regulations adopted by the
13 Department of Public Health and shall furnish such hospital
14 emergency services to any applicant who applies for the same in
15 case of injury or acute medical condition where the same is
16 liable to cause death or severe injury or serious illness. For
17 purposes of this Act, "applicant" includes any person who is
18 brought to a hospital by ambulance or specialized emergency
19 medical services vehicle as defined in the Emergency Medical
20 Services (EMS) Systems Act.

21 (Source: P.A. 86-1461.)

22 (210 ILCS 80/1.3 new)

23 Sec. 1.3. Long-term acute care hospitals. For the purpose

1 of this Act, general acute care hospitals designated by
2 Medicare as long-term acute care hospitals are not required to
3 provide hospital emergency services described in Section 1 of
4 this Act. Hospitals defined in this Section may provide
5 hospital emergency services at their option.

6 Long-term acute care hospitals that operate standby
7 emergency services as of January 1, 2011 may discontinue
8 hospital emergency services by notifying the Department of
9 Public Health. Long-term acute care hospitals that operate
10 basic or comprehensive emergency services must notify the
11 Health Facilities and Services Review Board and follow the
12 appropriate procedures.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.