

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 Service 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 15. The Long Term Acute Care Hospital Quality  
14 Improvement Transfer Program Act is amended by changing Section  
15 10 as follows:

16 (210 ILCS 155/10)

17 Sec. 10. Definitions. As used in this Act:

18 (a) "CARE tool" means the Continuity and Record Evaluation  
19 (CARE) tool. It is a patient assessment instrument that has  
20 been developed to document the medical, cognitive, functional,  
21 and discharge status of persons receiving health care services  
22 in acute and post-acute care settings. The data collected is  
23 able to document provider-level quality of care (patient  
24 outcomes) and characterize the clinical complexity of

1 patients.

2 (b) "Department" means the Illinois Department of  
3 Healthcare and Family Services.

4 (c) "Discharge" means the release of a patient from  
5 hospital care for any discharge disposition other than a leave  
6 of absence, even if for Medicare payment purposes the discharge  
7 fits the definition of an interrupted stay.

8 (d) "FTE" means "full-time equivalent" or a person or  
9 persons employed in one full-time position.

10 (e) "Hospital" means an institution, place, building, or  
11 agency located in this State that is licensed as a general  
12 acute hospital by the Illinois Department of Public Health  
13 under the Hospital Licensing Act, whether public or private and  
14 whether organized for profit or not-for-profit.

15 (f) "ICU" means intensive care unit.

16 (g) "LTAC hospital" means a hospital that is designated by  
17 Medicare as a long term acute care hospital as described in  
18 Section 1886(d)(1)(B)(iv)(I) of the Social Security Act and has  
19 an average length of Medicaid inpatient stay greater than 25  
20 days as reported on the hospital's 2008 Medicaid cost report on  
21 file as of February 15, 2010, or a hospital that begins  
22 operations after January 1, 2009 ~~2010~~ and is designated by  
23 Medicare as a long term acute care hospital.

24 (h) "LTAC hospital criteria" means nationally recognized  
25 evidence-based evaluation criteria that have been publicly  
26 tested and includes criteria specific to an LTAC hospital for

1 admission, continuing stay, and discharge. The criteria cannot  
2 include criteria derived or developed by or for a specific  
3 hospital or group of hospitals. Criteria and tools developed by  
4 hospitals or hospital associations or hospital-owned  
5 organizations are not acceptable and do not meet the  
6 requirements of this subsection.

7 (i) "Patient" means an individual who is admitted to a  
8 hospital for an inpatient stay.

9 (j) "Program" means the Long Term Acute Care Hospital  
10 Quality Improvement Transfer Program established by this Act.

11 (k) "STAC hospital" means a hospital that is not an LTAC  
12 hospital as defined in this Act or a psychiatric hospital or a  
13 rehabilitation hospital.

14 (Source: P.A. 96-1130, eff. 7-20-10.)

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