

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 Any hospital defined in this Section that opts to
7 discontinue emergency services described in Section 1 shall:

8 (1) comply with all provisions of the federal Emergency
9 Medical Treatment & Labor Act (EMTALA);

10 (2) comply with all provisions required under the
11 Social Security Act;

12 (3) provide annual notice to communities in the
13 hospital's service area about available emergency medical
14 services; and

15 (4) make educational materials available to
16 individuals who are present at the hospital concerning the
17 availability of medical services within the hospital's
18 service area.

19 Long-term acute care hospitals that operate standby
20 emergency services as of January 1, 2011 may discontinue
21 hospital emergency services by notifying the Department of
22 Public Health. Long-term acute care hospitals that operate
23 basic or comprehensive emergency services must notify the
24 Health Facilities and Services Review Board and follow the
25 appropriate procedures.

1 Section 15. The Long Term Acute Care Hospital Quality
2 Improvement Transfer Program Act is amended by changing Section
3 10 as follows:

4 (210 ILCS 155/10)

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

6 (a) "CARE tool" means the Continuity and Record Evaluation
7 (CARE) tool. It is a patient assessment instrument that has
8 been developed to document the medical, cognitive, functional,
9 and discharge status of persons receiving health care services
10 in acute and post-acute care settings. The data collected is
11 able to document provider-level quality of care (patient
12 outcomes) and characterize the clinical complexity of
13 patients.

14 (b) "Department" means the Illinois Department of
15 Healthcare and Family Services.

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

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

22 (e) "Hospital" means an institution, place, building, or
23 agency located in this State that is licensed as a general
24 acute hospital by the Illinois Department of Public Health
25 under the Hospital Licensing Act, whether public or private and

1 whether organized for profit or not-for-profit.

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

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

11 (h) "LTAC hospital criteria" means nationally recognized
12 evidence-based evaluation criteria that have been publicly
13 tested and includes criteria specific to an LTAC hospital for
14 admission, continuing stay, and discharge. The criteria cannot
15 include criteria derived or developed by or for a specific
16 hospital or group of hospitals. Criteria and tools developed by
17 hospitals or hospital associations or hospital-owned
18 organizations are not acceptable and do not meet the
19 requirements of this subsection.

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

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

24 (k) "STAC hospital" means a hospital that is not an LTAC
25 hospital as defined in this Act or a psychiatric hospital or a
26 rehabilitation hospital.

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

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