



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2249

Introduced 2/15/2013, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

20 ILCS 2305/7

from Ch. 111 1/2, par. 22.05

Amends the Department of Public Health Act. Provides that in the absence of a demonstrated public health hazard, the provision concerning the death of a person who had or is suspected of having an infectious or communicable disease shall be construed liberally to accommodate the rights of citizens and religious groups to bury their dead privately without the involvement of a licensed funeral director. Provides that the Department shall adopt rules for providing the decedent's next of kin or legally authorized representatives access to paperwork and permits necessary for the legal disposition of a decedent. Effective immediately.

LRB098 09184 RPM 39322 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Public Health Act is amended
5 by changing Section 7 as follows:

6 (20 ILCS 2305/7) (from Ch. 111 1/2, par. 22.05)

7 Sec. 7. The Illinois Department of Public Health shall
8 adopt rules requiring that upon death of a person who had or is
9 suspected of having an infectious or communicable disease that
10 could be transmitted through contact with the person's body or
11 bodily fluids, the body shall be labeled "Infection Hazard", or
12 with an equivalent term to inform persons having subsequent
13 contact with the body, including any funeral director or
14 embalmer, to take suitable precautions. Such rules shall
15 require that the label shall be prominently displayed on and
16 affixed to the outer wrapping or covering of the body if the
17 body is wrapped or covered in any manner. Responsibility for
18 such labeling shall lie with the attending physician who
19 certifies death, or if the death occurs in a health care
20 facility, with such staff member as may be designated by the
21 administrator of the facility. The Department may adopt rules
22 providing for the safe disposal of human remains. To the extent
23 feasible without endangering the public's health, the

1 Department shall respect and accommodate the religious beliefs
2 of individuals in implementing this Section.

3 In the absence of a demonstrated public health hazard, this
4 Section shall be construed liberally to accommodate the rights
5 of citizens and religious groups to bury their dead privately
6 without the involvement of a licensed funeral director. The
7 Department shall adopt rules for providing the decedent's next
8 of kin or legally authorized representatives access to
9 paperwork and permits necessary for the legal disposition of a
10 decedent. The paperwork shall include, but not be limited to,
11 the permit for disposition of a dead human body and the
12 certificate of death.

13 (Source: P.A. 93-829, eff. 7-28-04.)

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