

1 AN ACT concerning regulation.

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

4 Section 5. The Hospital Licensing Act is amended by
5 changing Section 6.08 as follows:

6 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)
7 Sec. 6.08.

8 (a) Every hospital shall provide notification as required
9 in this Section to police officers, firefighters, emergency
10 medical technicians, private emergency medical services
11 providers, and ambulance personnel who have provided or are
12 about to provide transport services, emergency care, or life
13 support services to a patient who has been diagnosed as having
14 a dangerous communicable or infectious disease. Such
15 notification shall not include the name of the patient, and the
16 emergency services provider agency and any person receiving
17 such notification shall treat the information received as a
18 confidential medical record.

19 (b) The Department shall utilize the Centers for Disease
20 Control and Prevention's list of potentially life-threatening
21 infectious diseases to determine the diseases for which
22 ~~establish by regulation a list of those communicable reportable~~
23 ~~diseases and conditions for which~~ notification shall be

1 provided.

2 (c) The hospital shall send the letter of notification no
3 later than 48 hours ~~within 72 hours~~ after a confirmed diagnosis
4 of any of the bloodborne communicable diseases listed by the
5 Department pursuant to subsection (b), ~~except confirmed~~
6 ~~diagnoses of Acquired Immunodeficiency Syndrome (AIDS). The If~~
7 ~~there is a confirmed diagnosis of AIDS, the~~ hospital shall
8 attempt to make verbal communication, followed by written ~~send~~
9 ~~the letter of~~ notification only if the police officers,
10 firefighters, emergency medical technicians, private emergency
11 medical services providers, or ambulance personnel have
12 indicated both verbally and on the ambulance run sheet that a
13 reasonable possibility exists that they have had blood or body
14 fluid contact with the patient, or if hospital personnel
15 providing the notification have reason to know of a possible
16 exposure.

17 (c-5) The hospital shall send the letter of notification no
18 later than 48 hours after a confirmed diagnosis of any of the
19 airborne or droplet-transmitted communicable diseases listed
20 by the Department pursuant to subsection (b) and the hospital
21 shall attempt to make verbal communication, followed by written
22 notification.

23 (d) Notification letters shall be sent to the designated
24 officer ~~contact~~ at the municipal or private provider agencies
25 listed on the ambulance run sheet. Except in municipalities
26 with a population over 1,000,000, a list attached to the

1 ambulance run sheet must contain all municipal and private
2 provider agency personnel who have provided any pre-hospital
3 care immediately prior to transport. In municipalities with a
4 population over 1,000,000, the ambulance run sheet must contain
5 the company number or unit designation number for any fire
6 department personnel who have provided any pre-hospital care
7 immediately prior to transport. The letter shall state the
8 names of crew members listed on the attachment to the ambulance
9 run sheet and the name of the communicable disease diagnosed,
10 but shall not contain the patient's name. Upon receipt of such
11 notification letter, the applicable private provider agency or
12 the designated infectious disease control officer of a
13 municipal fire department or fire protection district shall
14 contact all personnel involved in the pre-hospital or
15 inter-hospital care and transport of the patient. Such
16 notification letter may, but is not required to, consist of the
17 following form:

18 NOTIFICATION LETTER

19 (NAME OF HOSPITAL)

20 (ADDRESS)

21 TO:..... (Name of Organization)

22 FROM:.....(Infection Control Coordinator)

23 DATE:.....

24 As required by Section 6.08 of the Illinois Hospital
25 Licensing Act,(name of hospital) is hereby providing
26 notification that the following crew members or agencies

1 transported or provided pre-hospital care to a patient on
2 (date), and the transported patient was later diagnosed as
3 having(name of communicable disease):(list of crew
4 members if known). The Hospital Licensing Act requires you to
5 maintain this information as a confidential medical record.
6 Disclosure of this information may therefore result in civil
7 liability for the individual or company breaching the patient's
8 confidentiality, or both.

9 If you have any questions regarding this patient, please
10 contact me at(telephone number), between(hours).
11 Questions regarding exposure or the financial aspects of
12 obtaining medical care should be directed to your employer.

13 (e) Upon discharge of a patient with a communicable disease
14 to emergency personnel, the hospital shall notify the emergency
15 personnel of appropriate precautions against the communicable
16 disease, but shall not identify the name of the disease.

17 (f) The hospital may, in its discretion, take any measures
18 in addition to those required in this Section to notify police
19 officers, firefighters, emergency medical technicians, and
20 ambulance personnel of possible exposure to any communicable
21 disease. However, in all cases this information shall be
22 maintained as a confidential medical record.

23 (g) Any person providing or failing to provide notification
24 under the protocol required by this Section shall have immunity
25 from any liability, either criminal or civil, that might result
26 by reason of such action or inaction, unless such action or

1 inaction is willful.

2 (h) Any person who willfully fails to provide any
3 notification required pursuant to an applicable protocol which
4 has been adopted and approved pursuant to this Section commits
5 a petty offense, and shall be subject to a fine of \$200 for the
6 first offense, and \$500 for a second or subsequent offense.

7 (i) Nothing in this Section shall preclude a civil action
8 by a firefighter, emergency medical technician, or ambulance
9 crew member against an emergency services provider agency,
10 municipal fire department, or fire protection district that
11 fails to inform the member in a timely fashion of the receipt
12 of a notification letter.

13 (Source: P.A. 92-363, eff. 1-1-02.)

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