



Sen. Thomas Cullerton

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09800SB3432sam001

LRB098 19597 RPS 56135 a

1 AMENDMENT TO SENATE BILL 3432

2 AMENDMENT NO. _____. Amend Senate Bill 3432 by replacing
3 everything after the enacting clause with the following:

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

1 such notification shall treat the information received as a
2 confidential medical record.

3 (b) The Department shall utilize the Centers for Disease
4 Control and Prevention's list of potentially life-threatening
5 infectious diseases to determine the diseases for which
6 ~~establish by regulation a list of those communicable reportable~~
7 ~~diseases and conditions for which~~ notification shall be
8 provided.

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

24 (c-5) The hospital shall send the letter of notification no
25 later than 48 hours after a confirmed diagnosis of any of the
26 airborne or droplet-transmitted communicable diseases listed

1 by the Department pursuant to subsection (b) and the hospital
2 shall attempt to make verbal communication, followed by written
3 notification.

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

25 NOTIFICATION LETTER

26 (NAME OF HOSPITAL)

1 (ADDRESS)

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

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

4 DATE:.....

5 As required by Section 6.08 of the Illinois Hospital
6 Licensing Act,(name of hospital) is hereby providing
7 notification that the following crew members or agencies
8 transported or provided pre-hospital care to a patient on
9 (date), and the transported patient was later diagnosed as
10 having(name of communicable disease):(list of crew
11 members if known). The Hospital Licensing Act requires you to
12 maintain this information as a confidential medical record.
13 Disclosure of this information may therefore result in civil
14 liability for the individual or company breaching the patient's
15 confidentiality, or both.

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

20 (e) Upon discharge of a patient with a communicable disease
21 to emergency personnel, the hospital shall notify the emergency
22 personnel of appropriate precautions against the communicable
23 disease, but shall not identify the name of the disease.

24 (f) The hospital may, in its discretion, take any measures
25 in addition to those required in this Section to notify police
26 officers, firefighters, emergency medical technicians, and

1 ambulance personnel of possible exposure to any communicable
2 disease. However, in all cases this information shall be
3 maintained as a confidential medical record.

4 (g) Any person providing or failing to provide notification
5 under the protocol required by this Section shall have immunity
6 from any liability, either criminal or civil, that might result
7 by reason of such action or inaction, unless such action or
8 inaction is willful.

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

14 (i) Nothing in this Section shall preclude a civil action
15 by a firefighter, emergency medical technician, or ambulance
16 crew member against an emergency services provider agency,
17 municipal fire department, or fire protection district that
18 fails to inform the member in a timely fashion of the receipt
19 of a notification letter.

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."