



Sen. Dave Syverson

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09800SB3506sam001

LRB098 19678 RPS 56937 a

1 AMENDMENT TO SENATE BILL 3506

2 AMENDMENT NO. _____. Amend Senate Bill 3506 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Emergency Medical Treatment Act is amended
5 by changing Section 2 as follows:

6 (210 ILCS 70/2)

7 Sec. 2. Findings; prohibited terms.

8 (a) The Illinois General Assembly makes all of the
9 following findings:

10 (1) Hospital emergency services are not always the most
11 appropriate level of care for patients seeking unscheduled
12 medical care or for patients who do not have a regular
13 physician who can treat a significant or acute medical
14 condition not considered critical, debilitating, or
15 life-threatening.

16 (2) Hospital emergency rooms are over-utilized and too

1 often over-burdened with many injuries or illnesses that
2 could be managed in a less intensive clinical setting or
3 physician's office.

4 (3) Over-utilization of hospital emergency departments
5 contributes to excess medical and health insurance costs.

6 (4) The use of the term "~~urgent~~" or "emerg-" or a
7 similar term in a facility's posted or advertised name may
8 confuse the public and prospective patients regarding the
9 type of services offered relative to those provided by a
10 hospital emergency department. There is significant risk
11 to the public health and safety if persons requiring
12 treatment for a critical or life-threatening condition
13 inappropriately use such facilities.

14 (5) Many times patients are not clearly aware of the
15 policies and procedures of their insurer or health plan
16 that must be followed in the use of emergency rooms versus
17 non-emergent clinics and what rights they have under the
18 law in regard to appropriately sought emergency care.

19 (6) There is a need to more effectively educate health
20 care payers and consumers about the most appropriate use of
21 the various available levels of medical care and
22 particularly the use of hospital emergency rooms and
23 walk-in medical clinics that do not require appointments.

24 (b) ~~No After the effective date of this amendatory Act of~~
25 ~~the 93rd General Assembly, no person, facility, or entity shall~~
26 hold itself out to the public as an "~~urgent~~", "~~urgi~~",

1 "emergi-" or "emergent" care center or use any similar term,
2 as defined by rule, that would give the impression that
3 emergency medical treatment is provided by the person or entity
4 or at the facility unless the facility is the emergency room of
5 a facility licensed as a hospital under the Hospital Licensing
6 Act or a facility licensed as a freestanding emergency center
7 under the Emergency Medical Services (EMS) Systems Act. This
8 Section does not prohibit a person, facility, or entity from
9 holding itself out to the public as an "urgi-" or "urgent" care
10 center.

11 (c) Violation of this Section constitutes a business
12 offense with a minimum fine of \$5,000 plus \$1,000 per day for a
13 continuing violation, with a maximum of \$25,000.

14 (d) The Director of Public Health in the name of the people
15 of the State, through the Attorney General, may bring an action
16 for an injunction or to restrain a violation of this Section or
17 the rules adopted pursuant to this Section or to enjoin the
18 future operation or maintenance of any facility in violation of
19 this Section or the rules adopted pursuant to this Section.

20 (e) The Department of Public Health shall adopt rules
21 necessary for the implementation of this Section.

22 (Source: P.A. 93-540, eff. 8-18-03.)".