

HB0879



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0879

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

210 ILCS 45/2-104.2

from Ch. 111 1/2, par. 4152-104.2

Amends the Nursing Home Care Act. Makes a technical change in a Section concerning do-not-resuscitate orders.

LRB099 04703 RPS 24732 b

A BILL FOR

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 Nursing Home Care Act is amended by changing
5 Section 2-104.2 as follows:

6 (210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)

7 Sec. 2-104.2. Do-Not-Resuscitate Orders and Department of
8 Public Health Uniform DNR/POLST form.

9 (a) Every facility licensed under this Act shall establish
10 a policy for the ~~the~~ implementation of practitioner orders
11 concerning cardiopulmonary resuscitation (CPR) or
12 life-sustaining treatment including, but not limited to,
13 "Do-Not-Resuscitate" orders. This policy may only prescribe
14 the format, method of documentation and duration of any
15 practitioner orders. Any orders under this policy shall be
16 honored by the facility. The Department of Public Health
17 Uniform DNR/POLST form under Section 2310-600 of the Department
18 of Public Health Powers and Duties Law of the Civil
19 Administrative Code of Illinois, or a copy of that form or a
20 previous version of the uniform form, shall be honored by the
21 facility.

22 (b) Within 30 days after admission, new residents who do
23 not have a guardian of the person or an executed power of

1 attorney for health care shall be provided with written notice,
2 in a form and manner provided by rule of the Department, of
3 their right to provide the name of one or more potential health
4 care surrogates that a treating physician should consider in
5 selecting a surrogate to act on the resident's behalf should
6 the resident lose decision-making capacity. The notice shall
7 include a form of declaration that may be utilized by the
8 resident to identify potential health care surrogates or by the
9 facility to document any inability or refusal to make such a
10 declaration. A signed copy of the resident's declaration of a
11 potential health care surrogate or decision to decline to make
12 such a declaration, or documentation by the facility of the
13 resident's inability to make such a declaration, shall be
14 placed in the resident's clinical record and shall satisfy the
15 facility's obligation under this Section. Such a declaration
16 shall be used only for informational purposes in the selection
17 of a surrogate pursuant to the Health Care Surrogate Act. A
18 facility that complies with this Section is not liable to any
19 healthcare provider, resident, or resident's representative or
20 any other person relating to the identification or selection of
21 a surrogate or potential health care surrogate.

22 (Source: P.A. 98-1110, eff. 8-26-14.)