

1 AN ACT concerning civil law.

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

4 Section 5. The Good Samaritan Act is amended by changing
5 Section 30 as follows:

6 (745 ILCS 49/30)

7 (Text of Section WITHOUT the changes made by P.A. 94-677,
8 which has been held unconstitutional)

9 Sec. 30. Free medical clinic; exemption from civil
10 liability for services performed without compensation.

11 (a) A person licensed under the Medical Practice Act of
12 1987, a person licensed to practice the treatment of human
13 ailments in any other state or territory of the United States,
14 or a health care professional, including but not limited to an
15 advanced practice nurse, physician assistant, nurse,
16 pharmacist, physical therapist, podiatric physician, or social
17 worker licensed in this State or any other state or territory
18 of the United States, who, in good faith, provides medical
19 treatment, diagnosis, or advice as a part of the services of an
20 established free medical clinic providing care to medically
21 indigent patients which is limited to care that does not
22 require the services of a licensed hospital or ambulatory
23 surgical treatment center and who receives no fee or

1 compensation from that source shall not be liable for civil
2 damages as a result of his or her acts or omissions in
3 providing that medical treatment, except for willful or wanton
4 misconduct.

5 (b) For purposes of this Section, a "free medical clinic"
6 is:

7 (1) an organized community based program providing
8 medical care without charge to individuals unable to pay
9 for it, at which the care provided does not include the use
10 of general anesthesia or require an overnight stay in a
11 health-care facility; or -

12 (2) a program organized by a certified local health
13 department pursuant to Part 600 of Title 77 of the Illinois
14 Administrative Code, utilizing health professional members
15 of the Volunteer Medical Reserve Corps (the federal
16 organization under 42 U.S.C. 300hh-15) providing medical
17 care without charge to individuals unable to pay for it, at
18 which the care provided does not include an overnight stay
19 in a health-care facility.

20 (c) The provisions of subsection (a) of this Section do not
21 apply to a particular case unless the free medical clinic has
22 posted in a conspicuous place on its premises an explanation of
23 the exemption from civil liability provided herein.

24 (d) The immunity from civil damages provided under
25 subsection (a) also applies to physicians, hospitals, and other
26 health care providers that provide further medical treatment,

1 diagnosis, or advice to a patient upon referral from an
2 established free medical clinic without fee or compensation.

3 (e) Nothing in this Section prohibits a free medical clinic
4 from accepting voluntary contributions for medical services
5 provided to a patient who has acknowledged his or her ability
6 and willingness to pay a portion of the value of the medical
7 services provided.

8 Any voluntary contribution collected for providing care at
9 a free medical clinic shall be used only to pay overhead
10 expenses of operating the clinic. No portion of any moneys
11 collected shall be used to provide a fee or other compensation
12 to any person licensed under Medical Practice Act of 1987.

13 (f) The changes to this Section made by this amendatory Act
14 of the 99th General Assembly apply only to causes of action
15 accruing on or after the effective date of this amendatory Act
16 of the 99th General Assembly.

17 (Source: P.A. 98-214, eff. 8-9-13.)