

1 AMENDMENT TO HOUSE BILL 5218

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5218 by replacing  
3 the title with the following:

4 "AN ACT concerning emergency services."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 5. The Emergency Medical Services (EMS) Systems  
8 Act is amended by changing Section 32.5 as follows:

9 (210 ILCS 50/32.5)

10 Sec. 32.5. Freestanding Emergency Center;--demonstration  
11 program.

12 (a) The Department shall issue an annual Freestanding  
13 Emergency Center (FEC) license to any facility that:

- 14 (1) is located: (i) (A) in a municipality with a  
15 population of 75,000 60,000 or fewer inhabitants; (B)  
16 within 15 miles of the hospital that owns or controls the  
17 FEC; and (C) within 10 miles of the Resource Hospital  
18 affiliated with the FEC as part of the EMS System; or  
19 (ii) either (A) in a municipality that has a hospital  
20 that has been providing emergency services but is  
21 expected to close by the end of 1997 and or (B) in a

1 county with a population of more than 350,000 but less  
2 than 525,000 500,000 inhabitants; ~~(iii)-within-15-miles~~  
3 ~~of-the-hospital-that-owns-or-controls-the-FEC;--and--(iv)~~  
4 ~~within--10-miles-of-the-Resource-Hospital-affiliated-with~~  
5 ~~the-FEC-as-part-of-the-EMS-System;~~

6 (2) is wholly owned or controlled by an Associate  
7 or Resource Hospital, but is not a part of the hospital's  
8 physical plant;

9 (3) meets the standards for licensed FECs, adopted  
10 by rule of the Department, including, but not limited to:

11 (A) facility design, specification, operation,  
12 and maintenance standards;

13 (B) equipment standards; and

14 (C) the number and qualifications of emergency  
15 medical personnel and other staff, which must  
16 include at least one board certified emergency  
17 physician present at the FEC 24 hours per day.

18 (4) limits its participation in the EMS System  
19 strictly to receiving a limited number of BLS runs by  
20 emergency medical vehicles according to protocols  
21 developed by the Resource Hospital within the FEC's  
22 designated EMS System and approved by the Project Medical  
23 Director and the Department;

24 (5) provides comprehensive emergency treatment  
25 services, as defined in the rules adopted by the  
26 Department pursuant to the Hospital Licensing Act, 24  
27 hours per day, on an outpatient basis;

28 (6) provides an ambulance and maintains on site  
29 ambulance services staffed with paramedics 24 hours per  
30 day;

31 (7) maintains helicopter landing capabilities  
32 approved by appropriate State and federal authorities;

33 (8) complies with all State and federal patient  
34 rights provisions, including, but not limited to, the

1 Emergency Medical Treatment Act and the federal Emergency  
2 Medical Treatment and Active Labor Act;

3 (9) maintains a communications system that is fully  
4 integrated with its Resource Hospital within the FEC's  
5 designated EMS System;

6 (10) reports to the Department any patient  
7 transfers from the FEC to a hospital within 48 hours of  
8 the transfer plus any other data determined to be  
9 relevant by the Department;

10 (11) submits to the Department, on a quarterly  
11 basis, the FEC's morbidity and mortality rates for  
12 patients treated at the FEC and other data determined to  
13 be relevant by the Department;

14 (12) does not describe itself or hold itself out to  
15 the general public as a full service hospital or hospital  
16 emergency department in its advertising or marketing  
17 activities;

18 (13) complies with any other rules adopted by the  
19 Department under this Act that relate to FECs;

20 (14) passes the Department's site inspection for  
21 compliance with the FEC requirements of this Act;

22 (15) submits a copy of a certificate of need or  
23 other permit issued by the Illinois Health Facilities  
24 Planning Board indicating that the facility that will  
25 house the proposed FEC complies with State health  
26 planning laws; provided, however, that the Illinois  
27 Health Facilities Planning Board shall waive this  
28 certificate of need or permit requirement for any  
29 proposed FEC that, as of the effective date of this  
30 amendatory Act of 1996, meets the criteria for providing  
31 comprehensive emergency treatment services, as defined by  
32 the rules promulgated under the Hospital Licensing Act,  
33 but is not a licensed hospital;

34 (16) submits an application for designation as an

1 FEC in a manner and form prescribed by the Department by  
2 rule; and

3 (17) pays the annual license fee as determined by  
4 the Department by rule; and-

5 (18) participated in the demonstration program.

6 (b) The Department shall:

7 (1) annually inspect facilities of initial FEC  
8 applicants and licensed FECs, and issue annual licenses  
9 to or annually relicense FECs that satisfy the  
10 Department's licensure requirements as set forth in  
11 subsection (a);

12 (2) suspend, revoke, refuse to issue, or refuse to  
13 renew the license of any FEC, after notice and an  
14 opportunity for a hearing, when the Department finds that  
15 the FEC has failed to comply with the standards and  
16 requirements of the Act or rules adopted by the  
17 Department under the Act;

18 (3) issue an Emergency Suspension Order for any FEC  
19 when the Director or his or her designee has determined  
20 that the continued operation of the FEC poses an  
21 immediate and serious danger to the public health,  
22 safety, and welfare. An opportunity for a hearing shall  
23 be promptly initiated after an Emergency Suspension Order  
24 has been issued; and

25 (4) adopt rules as needed to implement this  
26 Section.

27 ~~(c) --The-FEC-demonstration-program-shall-be-conducted-for~~  
28 ~~an-initial-review-period-concluding--on--September--17--2001.~~  
29 ~~If,--by--that--date,--the--Department--determines--that--the~~  
30 ~~demonstration-program-is-operating--in--a--manner--consistent~~  
31 ~~with-the-purposes-of-this-Act,--the-program-shall-continue-and~~  
32 ~~sunset--on--September-17-2003.--The-Department-shall-submit-a~~  
33 ~~report-concerning--the--effectiveness--of--the--demonstration~~  
34 ~~program-to-the-General-Assembly-by-September-17-2002.~~

1           An--FEC--license--issued--pursuant--to--this--Section--shall  
2   expire--upon--the--termination--of--the--demonstration--program--  
3   (Source: P.A. 90-67, eff. 7-8-97; 91-385, eff. 7-30-99.)".