

1 AN ACT concerning civil procedure.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 8-2101 as follows:

6 (735 ILCS 5/8-2101) (from Ch. 110, par. 8-2101)

7 Sec. 8-2101. Information obtained. All information,
8 interviews, reports, statements, memoranda, recommendations,
9 letters of reference or other third party confidential
10 assessments of a health care practitioner's professional
11 competence, or other data of the Illinois Department of
12 Public Health, local health departments, the Department of
13 Human Services (as successor to the Department of Mental
14 Health and Developmental Disabilities), the Mental Health and
15 Developmental Disabilities Medical Review Board, Illinois
16 State Medical Society, allied medical societies, health
17 maintenance organizations, medical organizations under
18 contract with health maintenance organizations or with
19 insurance or other health care delivery entities or
20 facilities, tissue banks, organ procurement agencies,
21 physician-owned insurance companies ~~inter-insurance-exchanges~~
22 and their agents, committees of ambulatory surgical treatment
23 centers or post-surgical recovery centers or their medical
24 staffs, or committees of licensed or accredited hospitals or
25 their medical staffs, including Patient Care Audit
26 Committees, Medical Care Evaluation Committees, Utilization
27 Review Committees, Credential Committees and Executive
28 Committees, or their designees (but not the medical records
29 pertaining to the patient), used in the course of internal
30 quality control or of medical study for the purpose of
31 reducing morbidity or mortality, or for improving patient

1 care or increasing organ and tissue donation, shall be
2 privileged, strictly confidential and shall be used only for
3 medical research, increasing organ and tissue donation, the
4 evaluation and improvement of quality care, or granting,
5 limiting or revoking staff privileges or agreements for
6 services, except that in any health maintenance organization
7 proceeding to decide upon a physician's services or any
8 hospital or ambulatory surgical treatment center proceeding
9 to decide upon a physician's staff privileges, or in any
10 judicial review of either, the claim of confidentiality shall
11 not be invoked to deny such physician access to or use of
12 data upon which such a decision was based.

13 (Source: P.A. 89-393, eff. 8-20-95; 89-507, eff. 7-1-97.)