

AN ACT concerning emergency services.

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

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

(210 ILCS 50/32.5)

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

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

(1) is located: (i) (A) in a municipality with a
population of 75,000 60,000 or fewer inhabitants; (B)
within 15 miles of the hospital that owns or controls the
FEC; and (C) within 10 miles of the Resource Hospital
affiliated with the FEC as part of the EMS System; or
(ii) either (A) in a municipality that has a hospital
that has been providing emergency services but is
expected to close by the end of 1997 and or (B) in a
county with a population of more than 350,000 but less
than 525,000 500,000 inhabitants; (iii)-within-15-miles
of-the-hospital-that-owns-or-controls-the-FEC;--and--(iv)
within--10-miles-of-the-Resource-Hospital-affiliated-with
the-FEC-as-part-of-the-EMS-System;

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

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

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

(B) equipment standards; and

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

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

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

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

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

(8) complies with all State and federal patient rights provisions, including, but not limited to, the Emergency Medical Treatment Act and the federal Emergency Medical Treatment and Active Labor Act;

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

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

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

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

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

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

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

(16) submits an application for designation as an FEC in a manner and form prescribed by the Department by rule; and

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

(18) participated in the demonstration program.

(b) The Department shall:

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

(2) suspend, revoke, refuse to issue, or refuse to renew the license of any FEC, after notice and an

opportunity for a hearing, when the Department finds that the FEC has failed to comply with the standards and requirements of the Act or rules adopted by the Department under the Act;

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

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

~~(c) -- The FEC demonstration program shall be conducted for an initial review period concluding on September 1, 2001. If, by that date, the Department determines that the demonstration program is operating in a manner consistent with the purposes of this Act, the program shall continue and sunset on September 1, 2003. The Department shall submit a report concerning the effectiveness of the demonstration program to the General Assembly by September 1, 2002.~~

~~An FEC license issued pursuant to this Section shall expire upon the termination of the demonstration program.~~

(Source: P.A. 90-67, eff. 7-8-97; 91-385, eff. 7-30-99.)