

AN ACT concerning health.

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

Section 5. The Sexual Assault Survivors Emergency Treatment Act is amended by changing Section 5 as follows:

(410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

Sec. 5. Minimum requirements for hospitals providing emergency service to sexual assault survivors.

(a) Every hospital providing emergency hospital services to an alleged sexual assault survivor under this Act shall, as minimum requirements for such services, provide, with the consent of the alleged sexual assault survivor, and as ordered by the attending physician, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes provision of emergency services, or a physician assistant who has been delegated authority to provide emergency services, the following:

(1) appropriate medical examinations and laboratory tests required to ensure the health, safety, and welfare of an alleged sexual assault survivor or which may be used as evidence in a criminal proceeding against a person accused of the sexual assault, or both; and records of the results of such examinations and tests shall be maintained by the hospital and made available to law enforcement officials upon the request of the alleged sexual assault survivor;

(2) appropriate oral and written information concerning the possibility of infection, sexually transmitted disease and pregnancy resulting from sexual assault;

(3) appropriate oral and written information concerning accepted medical procedures, medication, and possible contraindications of such medication available

for the prevention or treatment of infection or disease resulting from sexual assault;

(4) such medication as is deemed appropriate by the attending physician, an advanced practice nurse, or a physician assistant, including HIV prophylaxis;

(5) a blood test to determine the presence or absence of sexually transmitted disease;

(6) written and oral instructions indicating the need for a second blood test 6 weeks after the sexual assault to determine the presence or absence of sexually transmitted disease; and

(7) appropriate counseling as determined by the hospital, by trained personnel designated by the hospital.

(b) Any minor who is an alleged survivor of sexual assault who seeks emergency services under this Act shall be provided such services without the consent of the parent, guardian or custodian of the minor.

(Source: P.A. 93-962, eff. 8-20-04.)