



Rep. Eva-Dina Delgado

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10300SB2644ham002

LRB103 34708 SPS 73225 a

1 AMENDMENT TO SENATE BILL 2644

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2644 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Secretary of State Act is amended by  
5 adding Section 34 as follows:

6 (15 ILCS 305/34 new)

7 Sec. 34. Advance Directive Registry.

8 (a) By January 1, 2027, the Secretary of State shall  
9 establish an electronic registry, to be known as the Advance  
10 Directive Registry, through which residents of the State of  
11 Illinois may deposit, with the Secretary of State, a completed  
12 Department of Public Health Uniform Practitioner Order for  
13 Life-Sustaining Treatment (POLST) form. In calendar year 2026,  
14 the Secretary of State shall, in good faith, promote the  
15 Advance Directive Registry throughout the State by  
16 disseminating information about the Advance Directive Registry

1 in the form and manner prescribed by the Secretary of State.

2 (b) Information in the Advance Directive Registry shall be  
3 made available electronically to Emergency Medical Services  
4 personnel as defined in the Emergency Medical Services (EMS)  
5 Systems Act, administrators of hospitals licensed under the  
6 Hospital Licensing Act, and administrators of hospitals  
7 organized under the University of Illinois Hospital Act.  
8 Hospital administrators shall, as appropriate for their  
9 respective hospital, provide access to information in the  
10 Advance Directive Registry to hospital health care providers  
11 and health care professionals. Persons may rely on information  
12 obtained from the Advance Directive Registry as an accurate  
13 copy of the documents filed with the Advance Directive  
14 Registry.

15 (c) Nothing in this Section shall limit the right to amend  
16 or revoke a Department of Public Health Uniform POLST form  
17 previously filed with the Advance Directive Registry.

18 (d) The Secretary of State shall adopt any rules necessary  
19 to implement this amendatory Act of the 103rd General  
20 Assembly, and the Secretary of State shall also provide on the  
21 Secretary of State's website information regarding use of the  
22 Advance Directive Registry.

23 (e) In the absence of gross negligence or willful  
24 misconduct, the Secretary of State and employees of the  
25 Secretary of State are immune from any civil or criminal  
26 liability in connection with the creation and maintenance of

1 the Advance Directive Registry described in this Section.

2 (f) A person who knowingly submits a document to the  
3 Advance Directive Registry without authorization or assists in  
4 such submission shall be guilty of a Class A misdemeanor.

5 (g) Nothing in this Section requires a health care  
6 professional or health care provider, including Emergency  
7 Medical Services personnel as defined in the Emergency Medical  
8 Services (EMS) Systems Act, a hospital licensed under the  
9 Hospital Licensing Act, and a hospital organized under the  
10 University of Illinois Hospital Act, to (i) inquire whether a  
11 patient has a Department of Public Health Uniform POLST form  
12 registered on the Advance Directive Registry or (ii) access or  
13 search the Advance Directive Registry to determine whether a  
14 patient has registered a Department of Public Health Uniform  
15 POLST form or the terms of the form.

16 (h) A health care professional or health care provider,  
17 including Emergency Medical Services personnel as defined in  
18 the Emergency Medical Services (EMS) Systems Act, a hospital  
19 licensed under the Hospital Licensing Act, and a hospital  
20 organized under the University of Illinois Hospital Act, is  
21 not subject to civil or criminal liability or professional  
22 discipline for failure to access or search the Advance  
23 Directive Registry. Notwithstanding any other provision of  
24 this Section, a health care professional or health care  
25 provider who relies in good faith on the provisions of a  
26 Department of Public Health Uniform POLST form retrieved from

1 the Advance Directive Registry is immune from criminal and  
2 civil liability as described in subsection (d) of Section 65  
3 of the Health Care Surrogate Act and Section 3.150 of the  
4 Emergency Medical Services (EMS) Systems Act."