**Section 545.62 Pediatric Health Care Facilities**

a) *A pediatric health care facility that submits a plan to the Department for approval under Section 2 of the Act* and Section 85 of this Part *consents to the jurisdiction and oversight of the Department, including, but not limited to, inspections, investigations, and evaluations arising out of complaints relevant to the Act made to the Department.* (Section 2.06 of the Act)

b) *A pediatric health care facility that submits a plan to the Department for approval under Section 2 of the Act* and Section 85 of this Part *shall be deemed to have given consent to annual inspections, surveys, or evaluations relevant to the Act by properly identified personnel of the Department or by such other properly identified persons, including local health department staff, as the Department may designate.* (Section 2.06 of the Act)

c) *Representatives of the Department shall have access to and may reproduce or photocopy any books, records, and other documents maintained by the pediatric health care facility or the facility's representatives, to the extent necessary to carry out the Act* and this Part. (Section 2.06 of the Act)

d) *No representative, agent, or person acting on behalf of the pediatric health care facility in any manner shall intentionally prevent, interfere with, or attempt to impede in any way any duly authorized investigation and enforcement of the Act* and this Part. (Section 2.06 of the Act)

e) *An approved pediatric health care facility may provide medical forensic services, in accordance with* this Part*, to all sexual assault survivors under the age of 18 who present for medical forensic services in relation to injuries or trauma resulting from a sexual assault. These services shall be provided by a qualified medical provider.* (Section 2(b) of the Act)

f) *A pediatric health care facility shall participate in or submit an areawide treatment plan under Section 3 of the Act* and Section 545.50 of this Part *that includes a treatment hospital. If a pediatric health care facility does not provide certain medical or surgical services that are provided by hospitals, the areawide sexual assault treatment plan shall include a procedure for ensuring a sexual assault survivor in need of these medical or surgical services receives the services at the treatment hospital. The areawide treatment plan may also include a treatment hospital with approved pediatric transfer.* (Section 2(b) of the Act)

g) *The Department will review a proposed sexual assault treatment plan submitted by a pediatric health care facility within 60 days after receipt of the plan. If the Department finds that the proposed plan meets the minimum requirements set forth in Section 5 of the Act and* Section 545.60 of this Part*, and that implementation of the proposed plan would provide medical forensic services for sexual assault survivors under the age of 18, then the Department will approve the plan.*

1) *If the Department does not approve a plan, then the Department will*, via certified mail, *notify the pediatric health care facility that the proposed plan has not been approved. The pediatric health care facility shall have 30 days* after receipt of the Department's notice of disapproval *to submit a revised plan.*

2) *The Department will review the revised plan within 30 days after receipt of the plan and notify the pediatric health care facility whether the revised plan is approved or rejected.* (Section 2(b) of the Act)

h) *A pediatric health care facility may not provide medical forensic services to sexual assault survivors under the age of 18 until the Department has approved a treatment plan.* (Section 2(b) of the Act)

i) *If an approved pediatric health care facility is not open 24 hours a day, seven days a week, it shall post signage at each public entrance to its facility that:*

1) *Is at least 14 inches by 14 inches in size;*

2) *Directs those seeking services as follows: "If closed, call 911 for services or go to the closest hospital emergency department, (insert name) located at (insert address).";*

3) *Lists the approved pediatric health care facility's hours of operation;*

4) *Lists the street address of the building;*

5) *Has a black background with white bold capital lettering in a clear and easy to read font that is at least 72-point type, and with "call 911" in at least 125-point type;*

6) *Is posted clearly and conspicuously on or adjacent to the door at each entrance and, if building materials allow, is posted internally for viewing through glass; if posted externally, the sign shall be made of weather-resistant and theft-resistant materials, non-removable, and adhered permanently to the building; and*

7) *Has lighting that is part of the sign itself or is lit with a dedicated light that fully illuminates the sign.* (Section 2(b) of the Act)

j) *A copy of the proposed sign shall be submitted to the Department and approved as part of the approved pediatric health care facility's sexual assault treatment plan.* (Section 2(b) of the Act)

k) *Each approved pediatric health care facility shall enter into a memorandum of understanding with a rape crisis center for medical advocacy services, if these services are available to the approved pediatric health care facility. With the consent of the sexual assault survivor, a rape crisis counselor shall remain in the exam room during the collection for forensic evidence.* (Section 2(c) of the Act)

l) *Every approved pediatric health care facility's sexual assault treatment plan shall include procedures for complying with mandatory reporting requirements pursuant to the:*

1) *Abused and Neglected Child Reporting Act;*

2) *Abused and Neglected Long Term Care Facility Residents Reporting Act;*

3) *Adult Protective Services Act; and*

4) *Criminal Identification Act.* (Section 2(d) of the Act)

m) Pursuant to Section 5.2(b) of the Act, *each employee of an approved pediatric health care facility with access to the Medical Electronic Data Interchange or successor system* shall sign a statement *affirming that system will only be used for the purpose of issuing sexual assault services vouchers*. (Section 5.2(b) of the Act)

n) *Within 60 days after the Department's approval of a treatment plan, an approved pediatric health care facility and any health care professional employed by an approved pediatric health care facility shall develop a billing protocol that ensures that no survivor of sexual assault is sent a bill for any medical forensic services and submit the billing protocol to the Crime Victim Services Division of the Office of the Attorney General for approval.* (Section 7.5(d) of the Act)

o) *In carrying out oversight of a pediatric health care facility, the Department will respect the confidentiality of all patient records, including by complying with the patient record confidentiality requirements set out in Section 6.14b of the Hospital Licensing Act*. (Section 2.06 of the Act)

(Source: Amended at 47 Ill. Reg. 14538, effective September 26, 2023)