

1 AN ACT in relation to health.

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

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-600 as follows:

7 (20 ILCS 2310/2310-600)

8 Sec. 2310-600. Advance directive information.

9 (a) The Department of Public Health shall prepare and
10 publish the summary of advance directives law in Illinois
11 that is required by the federal Patient Self-Determination
12 Act. Publication may be limited to the World Wide Web.

13 (b) The Department of Public Health shall adopt, by
14 rule, and publish Spanish language versions of the following:

15 (1) The statutory Living Will Declaration form.

16 (2) The Illinois Statutory Short Form Power of
17 Attorney for Health Care.

18 (3) The statutory Declaration of Mental Health
19 Treatment Form.

20 (4) The summary of advance directives law in
21 Illinois.

22 (5) Any statewide uniform Do Not Resuscitate forms.
23 Publication may be limited to the World Wide Web.

24 (b-5) In consultation with a statewide professional
25 organization representing physicians licensed to practice
26 medicine in all its branches and a statewide organization
27 representing hospitals, the Department of Public Health shall
28 develop and publish a uniform form for physician
29 do-not-resuscitate orders that may be utilized in all
30 settings. The form may be referred to as the Department of
31 Public Health Uniform DNR Order form.

1 (c) The Department of Public Health may contract with
 2 statewide professional organizations representing physicians
 3 licensed to practice medicine in all its branches health-care
 4 professionals to prepare and publish materials required by
 5 this Section. The Department of Public Health may consult
 6 with a statewide organization representing registered
 7 professional nurses on preparing materials required by this
 8 Section.

9 (Source: P.A. 91-789, eff. 1-1-01.)

10 Section 10. The Nursing Home Care Act is amended by
 11 changing Section 2-104.2 as follows:

12 (210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)

13 Sec. 2-104.2. Do-Not-Resuscitate Orders. Every facility
 14 licensed under this Act shall establish a policy for the
 15 implementation of physician orders limiting resuscitation
 16 such as those commonly referred to as "Do-Not-Resuscitate"
 17 orders. This policy may only prescribe the format, method of
 18 documentation and duration of any physician orders limiting
 19 resuscitation. Any orders under this policy shall be honored
 20 by the facility. The Department of Public Health Uniform DNR
 21 Order form or a copy of that form shall be honored by the
 22 facility.

23 (Source: P.A. 87-567.)

24 Section 15. The Emergency Medical Services (EMS) Systems
 25 Act is amended by adding Section 3.57 as follows:

26 (210 ILCS 50/3.57 new)

27 Sec. 3.57. Physician do-not-resuscitate orders. The
 28 Department of Public Health Uniform DNR Order form or a copy
 29 of that form shall be honored under this Act.

1 Section 20. The Hospital Licensing Act is amended by
2 adding Section 6.19 as follows:

3 (210 ILCS 85/6.19 new)

4 Sec. 6.19. Do-not-resuscitate orders. Every facility
5 licensed under this Act shall establish a policy for the
6 implementation of physician orders limiting resuscitation,
7 such as those orders commonly referred to as
8 "do-not-resuscitate" orders. This policy may prescribe only
9 the format, method of documentation, and duration of any
10 physician orders limiting resuscitation. The policy may
11 include forms to be used. Any orders issued under the policy
12 shall be honored by the facility. The Department of Public
13 Health Uniform DNR Order form or a copy of that form shall be
14 honored under any policy established under this Section.

15 Section 25. The Health Care Surrogate Act is amended by
16 adding Section 65 as follows:

17 (755 ILCS 40/65 new)

18 Sec. 65. Do-not-resuscitate orders.

19 (a) An individual of sound mind and having reached the
20 age of majority or having obtained the status of an
21 emancipated person pursuant to the Emancipation of Mature
22 Minors Act may execute a document (consistent with the
23 Department of Public Health Uniform DNR Order Form) directing
24 that resuscitating efforts shall not be implemented. Such an
25 order may also be executed by an attending physician.

26 (b) Consent to a DNR order may be obtained from the
27 individual, or from another person at the individual's
28 direction, or from the individual's legal guardian, agent
29 under a power of attorney for health care, or surrogate
30 decision maker, and witnessed by 2 individuals 18 years of
31 age or older.

1 (c) The DNR order may, but need not, be in the form
2 adopted by the Department of Public Health pursuant to
3 Section 2310-600 of the Department of Public Health Powers
4 and Duties Law (20 ILCS 2310/2310-600).

5 (d) A health care professional or health care provider
6 may presume, in the absence of knowledge to the contrary,
7 that a completed Department of Public Health Uniform DNR
8 Order form or a copy of that form is a valid DNR order. A
9 health care professional or health care provider, or an
10 employee of a health care professional or health care
11 provider, who in good faith complies with a
12 do-not-resuscitate order made in accordance with this Act is
13 not, as a result of that compliance, subject to any criminal
14 or civil liability, except for willful and wanton
15 misconduct, and may not be found to have committed an act of
16 unprofessional conduct.

17 Section 99. Effective date. This Act takes effect on
18 October 1, 2001.