

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, statewide organizations
27 representing nursing homes, and a statewide organization
28 representing hospitals, the Department of Public Health shall
29 develop and publish a uniform form for physician
30 do-not-resuscitate orders that may be utilized in all
31 settings. The form may be referred to as the Department of

1 Public Health Uniform DNR Order form.

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

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

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

13 (210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)
14 Sec. 2-104.2. Do-Not-Resuscitate Orders. Every facility
15 licensed under this Act shall establish a policy for the
16 implementation of physician orders limiting resuscitation
17 such as those commonly referred to as "Do-Not-Resuscitate"
18 orders. This policy may only prescribe the format, method of
19 documentation and duration of any physician orders limiting
20 resuscitation. Any orders under this policy shall be honored
21 by the facility. The Department of Public Health Uniform DNR
22 Order form or a copy of that form shall be honored by the
23 facility.

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

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

27 (210 ILCS 50/3.57 new)

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

1 Section 20. The Hospital Licensing Act is amended by
2 adding Sections 6.19 and 6.20 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 (210 ILCS 85/6.20 new)

16 Sec. 6.20. Use of restraints. Each hospital licensed
17 under this Act must have a written policy to address the use
18 of restraints and seclusion in the hospital. The Department
19 shall establish, by rule, the provisions that the policy must
20 include, which, to the extent practicable, should be
21 consistent with the requirements for participation in the
22 federal Medicare program. Each hospital policy shall
23 include periodic review of the use of restraints or seclusion
24 in the hospital.

25 In hospitals, restraints or seclusion may only be
26 ordered by (i) a physician licensed to practice medicine in
27 all its branches or (ii) a registered nurse with supervisory
28 responsibilities as authorized by the medical staff. The
29 medical staff of a hospital may adopt a policy specifying
30 the requirements for the use of restraints or seclusion and
31 identifying whether a registered nurse with supervisory
32 responsibilities may order restraints or seclusion in the

1 hospital when the patient's treating physician is not
2 available.

3 Registered nurses authorized to order restraints or
4 seclusion shall have appropriate training and experience as
5 determined by medical staff policy. The treating physician
6 shall be notified when restraints or seclusion are ordered by
7 a registered nurse. Nothing in this Section requires that a
8 medical staff authorize a registered nurse with supervisory
9 responsibilities to order restraints or seclusion.

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

12 (755 ILCS 40/65 new)

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

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

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

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

31 (d) A health care professional or health care provider
32 may presume, in the absence of knowledge to the contrary,

1 that a completed Department of Public Health Uniform DNR
2 Order form or a copy of that form is a valid DNR order. A
3 health care professional or health care provider, or an
4 employee of a health care professional or health care
5 provider, who in good faith complies with a
6 do-not-resuscitate order made in accordance with this Act is
7 not, as a result of that compliance, subject to any criminal
8 or civil liability, except for willful and wanton
9 misconduct, and may not be found to have committed an act of
10 unprofessional conduct.

11 Section 99. Effective date. This Act takes effect on
12 October 1, 2001.