

1 AN ACT regarding health facilities.

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

4 Section 5. The Hospital Licensing Act is amended by
5 changing Section 6.08 as follows:

6 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)

7 Sec. 6.08. (a) Every hospital shall provide notification
8 as required in this Section to police officers, firefighters,
9 paramedics, emergency medical technicians, and ambulance
10 personnel who have provided or are about to provide emergency
11 care or life support services to a patient who has been
12 diagnosed as having a dangerous communicable or infectious
13 disease. Such notification shall not include the name of the
14 patient, and the emergency services provider agency and any
15 person receiving such notification shall treat the
16 information received as a confidential medical record.

17 (b) The Department shall establish by regulation a list
18 of those communicable reportable diseases and conditions for
19 which notification shall be provided.

20 (c) The hospital shall send the letter of notification
21 within 72 hours after a confirmed diagnosis of any of the
22 communicable diseases listed by the Department pursuant to
23 subsection (b), except confirmed diagnoses of Acquired
24 Immunodeficiency Syndrome (AIDS). If there is a confirmed
25 diagnosis of AIDS, the hospital shall send the letter of
26 notification only if the police officers, firefighters,
27 paramedics, emergency medical technicians, or ambulance
28 personnel have indicated on the ambulance run sheet that a
29 reasonable possibility exists that they have had blood or
30 body fluid contact with the patient, or if hospital personnel
31 providing the notification have reason to know of a possible

1 exposure.

2 (d) Notification letters shall be sent to the designated
3 contact at the municipal or private provider agencies listed
4 on the ambulance run sheet. The ambulance run sheet must
5 contain all municipal and private provider agency personnel
6 who have provided any pre-hospital care immediately prior to
7 transport. The letter shall state the names of crew members
8 listed on the ambulance run sheet and the name of the
9 communicable disease diagnosed, but shall not contain the
10 patient's name. Upon receipt of such notification letter, the
11 applicable private provider agency or the designated
12 infectious disease control officer of a municipal fire
13 department or fire protection district shall contact all
14 personnel involved in the pre-hospital or inter-hospital care
15 and transport of the patient. Such notification letter may,
16 but is not required to, consist of the following form:

17 NOTIFICATION LETTER

18 (NAME OF HOSPITAL)

19 (ADDRESS)

20 TO:..... (Name of Organization)

21 FROM:.....(Infection Control Coordinator)

22 DATE:.....

23 As required by Section 6.08 of the Illinois Hospital
24 Licensing Act,(name of hospital) is hereby providing
25 notification that the following crew members or agencies
26 transported or provided pre-hospital care to a patient on
27 (date), and the transported-a patient transported who
28 was later diagnosed as having(name of communicable
29 disease):(list of crew members). The Hospital
30 Licensing Act requires you to maintain this information as a
31 confidential medical record. Disclosure of this information
32 may therefore result in civil liability for the individual or
33 company breaching the patient's confidentiality, or both.

34 If you have any questions regarding this patient, please

1 contact me at(telephone number), between(hours).
2 Questions regarding exposure or the financial aspects of
3 obtaining medical care should be directed to your employer.

4 (e) Upon discharge of a patient with a communicable
5 disease to emergency personnel, the hospital shall notify the
6 emergency personnel of appropriate precautions against the
7 communicable disease, but shall not identify the name of the
8 disease.

9 (f) The hospital may, in its discretion, take any
10 measures in addition to those required in this Section to
11 notify police officers, firefighters, paramedics, emergency
12 medical technicians, and ambulance personnel of possible
13 exposure to any communicable disease. However, in all cases
14 this information shall be maintained as a confidential
15 medical record.

16 (g) Any person providing or failing to provide
17 notification under the protocol required by this Section
18 shall have immunity from any liability, either criminal or
19 civil, that might result by reason of such action or
20 inaction, unless such action or inaction is willful.

21 (h) Any person who willfully fails to provide any
22 notification required pursuant to an applicable protocol
23 which has been adopted and approved pursuant to this Section
24 commits a petty offense, and shall be subject to a fine of
25 \$200 for the first offense, and \$500 for a second or
26 subsequent offense.

27 (i) Nothing in this Section shall preclude a civil
28 action by a firefighter, paramedic, emergency medical
29 technician, or ambulance crew member against an emergency
30 services provider agency, municipal fire department, or fire
31 protection district that which fails to inform the member
32 ~~sueh--crew--member~~ in a timely fashion of the receipt of a
33 notification letter.

34 (Source: P.A. 86-820; 86-887.)