

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 emergency medical technicians, paramedics 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 emergency medical technicians, paramedics 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. Except in municipalities with a
5 population over 1,000,000, a list attached to the ambulance
6 run sheet must contain all municipal and private provider
7 agency personnel who have provided any pre-hospital care
8 immediately prior to transport. In municipalities with a
9 population over 1,000,000, the ambulance run sheet must
10 contain the company number or unit designation number for any
11 fire department personnel who have provided any pre-hospital
12 care immediately prior to transport. The letter shall state
13 the names of crew members listed on the attachment to the
14 ambulance run sheet and the name of the communicable disease
15 diagnosed, but shall not contain the patient's name. Upon
16 receipt of such notification letter, the applicable private
17 provider agency or the designated infectious disease control
18 officer of a municipal fire department or fire protection
19 district shall contact all personnel involved in the
20 pre-hospital or inter-hospital care and transport of the
21 patient. Such notification letter may, but is not required
22 to, consist of the following form:

23 NOTIFICATION LETTER

24 (NAME OF HOSPITAL)

25 (ADDRESS)

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

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

28 DATE:.....

29 As required by Section 6.08 of the Illinois Hospital
30 Licensing Act,(name of hospital) is hereby providing
31 notification that the following crew members or agencies
32 transported or provided pre-hospital care to a patient on
33 (date), and the transported a patient who was later
34 diagnosed as having(name of communicable disease):

1(list of crew members). The Hospital Licensing Act
 2 requires you to maintain this information as a confidential
 3 medical record. Disclosure of this information may therefore
 4 result in civil liability for the individual or company
 5 breaching the patient's confidentiality, or both.

6 If you have any questions regarding this patient, please
 7 contact me at(telephone number), between(hours).
 8 Questions regarding exposure or the financial aspects of
 9 obtaining medical care should be directed to your employer.

10 (e) Upon discharge of a patient with a communicable
 11 disease to emergency personnel, the hospital shall notify the
 12 emergency personnel of appropriate precautions against the
 13 communicable disease, but shall not identify the name of the
 14 disease.

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

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

27 (h) Any person who willfully fails to provide any
 28 notification required pursuant to an applicable protocol
 29 which has been adopted and approved pursuant to this Section
 30 commits a petty offense, and shall be subject to a fine of
 31 \$200 for the first offense, and \$500 for a second or
 32 subsequent offense.

33 (i) Nothing in this Section shall preclude a civil
 34 action by a firefighter, emergency medical technician,

1 paramedic or ambulance crew member against an emergency
2 services provider agency, municipal fire department, or fire
3 protection district that which fails to inform the member
4 such--crew--member in a timely fashion of the receipt of a
5 notification letter.

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