

1 AMENDMENT TO SENATE BILL 382

2 AMENDMENT NO. _____. Amend Senate Bill 382, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)

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

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

21 (c) The hospital shall send the letter of notification
22 within 72 hours after a confirmed diagnosis of any of the

1 communicable diseases listed by the Department pursuant to
 2 subsection (b), except confirmed diagnoses of Acquired
 3 Immunodeficiency Syndrome (AIDS). If there is a confirmed
 4 diagnosis of AIDS, the hospital shall send the letter of
 5 notification only if the police officers, firefighters,
 6 emergency medical technicians, paramedics or ambulance
 7 personnel have indicated on the ambulance run sheet that a
 8 reasonable possibility exists that they have had blood or
 9 body fluid contact with the patient, or if hospital personnel
 10 providing the notification have reason to know of a possible
 11 exposure.

12 (d) Notification letters shall be sent to the designated
 13 contact at the municipal or private provider agencies listed
 14 on the ambulance run sheet. Except in municipalities with a
 15 population over 1,000,000, a list attached to the ambulance
 16 run sheet must contain all municipal and private provider
 17 agency personnel who have provided any pre-hospital care
 18 immediately prior to transport. In municipalities with a
 19 population over 1,000,000, the ambulance run sheet must
 20 contain the company number or unit designation number for any
 21 fire department personnel who have provided any pre-hospital
 22 care immediately prior to transport. The letter shall state
 23 the names of crew members listed on the attachment to the
 24 ambulance run sheet and the name of the communicable disease
 25 diagnosed, but shall not contain the patient's name. Upon
 26 receipt of such notification letter, the applicable private
 27 provider agency or the designated infectious disease control
 28 officer of a municipal fire department or fire protection
 29 district shall contact all personnel involved in the
 30 pre-hospital or inter-hospital care and transport of the
 31 patient. Such notification letter may, but is not required
 32 to, consist of the following form:

33 NOTIFICATION LETTER

34 (NAME OF HOSPITAL)

1 (ADDRESS)

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

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

4 DATE:.....

5 As required by Section 6.08 of the Illinois Hospital
6 Licensing Act,(name of hospital) is hereby providing
7 notification that the following crew members or agencies
8 transported or provided pre-hospital care to a patient on
9 (date), and the transported a patient who was later
10 diagnosed as having(name of communicable disease):
11(list of crew members). The Hospital Licensing Act
12 requires you to maintain this information as a confidential
13 medical record. Disclosure of this information may therefore
14 result in civil liability for the individual or company
15 breaching the patient's confidentiality, or both.

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

20 (e) Upon discharge of a patient with a communicable
21 disease to emergency personnel, the hospital shall notify the
22 emergency personnel of appropriate precautions against the
23 communicable disease, but shall not identify the name of the
24 disease.

25 (f) The hospital may, in its discretion, take any
26 measures in addition to those required in this Section to
27 notify police officers, firefighters, emergency medical
28 technicians, paramedics and ambulance personnel of possible
29 exposure to any communicable disease. However, in all cases
30 this information shall be maintained as a confidential
31 medical record.

32 (g) Any person providing or failing to provide
33 notification under the protocol required by this Section
34 shall have immunity from any liability, either criminal or

1 civil, that might result by reason of such action or
2 inaction, unless such action or inaction is willful.

3 (h) Any person who willfully fails to provide any
4 notification required pursuant to an applicable protocol
5 which has been adopted and approved pursuant to this Section
6 commits a petty offense, and shall be subject to a fine of
7 \$200 for the first offense, and \$500 for a second or
8 subsequent offense.

9 (i) Nothing in this Section shall preclude a civil
10 action by a firefighter, emergency medical technician,
11 paramedic or ambulance crew member against an emergency
12 services provider agency, municipal fire department, or fire
13 protection district that which fails to inform the member
14 such--crew--member in a timely fashion of the receipt of a
15 notification letter.

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