

AN ACT concerning State government.

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

Section 5. The Secretary of State Act is amended by adding Section 34 as follows:

(15 ILCS 305/34 new)

Sec. 34. Advance Directive Registry.

(a) By January 1, 2027, the Secretary of State shall establish an electronic registry, to be known as the Advance Directive Registry, through which residents of the State of Illinois may deposit, with the Secretary of State, a completed Department of Public Health Uniform Practitioner Order for Life-Sustaining Treatment (POLST) form. In calendar year 2026, the Secretary of State shall, in good faith, promote the Advance Directive Registry throughout the State by disseminating information about the Advance Directive Registry in the form and manner prescribed by the Secretary of State.

(b) Information in the Advance Directive Registry shall be made available electronically to Emergency Medical Services personnel as defined in the Emergency Medical Services (EMS) Systems Act, administrators of hospitals licensed under the Hospital Licensing Act, and administrators of hospitals organized under the University of Illinois Hospital Act.

Hospital administrators shall, as appropriate for their respective hospital, provide access to information in the Advance Directive Registry to hospital health care providers and health care professionals. Persons may rely on information obtained from the Advance Directive Registry as an accurate copy of the documents filed with the Advance Directive Registry.

(c) Nothing in this Section shall limit the right to amend or revoke a Department of Public Health Uniform POLST form previously filed with the Advance Directive Registry.

(d) The Secretary of State shall adopt any rules necessary to implement this amendatory Act of the 103rd General Assembly, and the Secretary of State shall also provide on the Secretary of State's website information regarding use of the Advance Directive Registry.

(e) In the absence of gross negligence or willful misconduct, the Secretary of State and employees of the Secretary of State are immune from any civil or criminal liability in connection with the creation and maintenance of the Advance Directive Registry described in this Section.

(f) A person who knowingly submits a document to the Advance Directive Registry without authorization or assists in such submission shall be guilty of a Class A misdemeanor.

(g) Nothing in this Section requires a health care professional or health care provider, including Emergency Medical Services personnel as defined in the Emergency Medical

Services (EMS) Systems Act, a hospital licensed under the Hospital Licensing Act, and a hospital organized under the University of Illinois Hospital Act, to (i) inquire whether a patient has a Department of Public Health Uniform POLST form registered on the Advance Directive Registry or (ii) access or search the Advance Directive Registry to determine whether a patient has registered a Department of Public Health Uniform POLST form or the terms of the form.

(h) A health care professional or health care provider, including Emergency Medical Services personnel as defined in the Emergency Medical Services (EMS) Systems Act, a hospital licensed under the Hospital Licensing Act, and a hospital organized under the University of Illinois Hospital Act, is not subject to civil or criminal liability or professional discipline for failure to access or search the Advance Directive Registry. Notwithstanding any other provision of this Section, a health care professional or health care provider who relies in good faith on the provisions of a Department of Public Health Uniform POLST form retrieved from the Advance Directive Registry is immune from criminal and civil liability as described in subsection (d) of Section 65 of the Health Care Surrogate Act and Section 3.150 of the Emergency Medical Services (EMS) Systems Act.