

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 8-2001 as follows:

6 (735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)

7 Sec. 8-2001. Examination of records.

8 In this Section, "health care facility" or "facility" means
9 a public or private hospital, ambulatory surgical treatment
10 center, nursing home, independent practice association, or
11 physician hospital organization, or any other entity where
12 health care services are provided to any person. The term does
13 not include an organizational structure whose records are
14 subject to Section 8-2003.

15 Every private and public health care facility shall, upon
16 the request of any patient who has been treated in such health
17 care facility, or any person, entity, or organization
18 presenting a valid authorization for the release of records
19 signed by the patient or the patient's legally authorized
20 representative, permit the patient, his or her physician, ~~or~~
21 authorized attorney, or any person, entity, or organization
22 presenting a valid authorization for the release of records
23 signed by the patient or the patient's legally authorized
24 representative to examine the health care facility patient care
25 records, including but not limited to the history, bedside
26 notes, charts, pictures and plates, kept in connection with the
27 treatment of such patient, and permit copies of such records to
28 be made by him or her or his or her physician or authorized
29 attorney. A request for copies of the records shall be in
30 writing and shall be delivered to the administrator or manager
31 of such health care facility. The health care facility shall be
32 reimbursed by the person requesting copies of records at the

1 time of such copying for all reasonable expenses, including the
2 costs of independent copy service companies, incurred by the
3 health care facility in connection with such copying not to
4 exceed a \$20 handling charge for processing the request for
5 copies, and 75 cents per page for the first through 25th pages,
6 50 cents per page for the 26th through 50th pages, and 25 cents
7 per page for all pages in excess of 50 (except that the charge
8 shall not exceed \$1.25 per page for any copies made from
9 microfiche or microfilm), and actual shipping costs. These
10 rates shall be automatically adjusted as set forth in Section
11 8-2006. The health care facility may, however, charge for the
12 reasonable cost of all duplication of record material or
13 information that cannot routinely be copied or duplicated on a
14 standard commercial photocopy machine such as x-ray films or
15 pictures.

16 The requirements of this Section shall be satisfied within
17 30 days of the receipt of a written request by a patient or by
18 his or her legally authorized representative, physician, ~~or~~
19 authorized attorney, or any person, entity, or organization
20 presenting a valid authorization for the release of records
21 signed by the patient or the patient's legally authorized
22 representative. If the health care facility needs more time to
23 comply with the request, then within 30 days after receiving
24 the request, the facility must provide the requesting party
25 with a written statement of the reasons for the delay and the
26 date by which the requested information will be provided. In
27 any event, the facility must provide the requested information
28 no later than 60 days after receiving the request.

29 A health care facility must provide the public with at
30 least 30 days prior notice of the closure of the facility. The
31 notice must include an explanation of how copies of the
32 facility's records may be accessed by patients. The notice may
33 be given by publication in a newspaper of general circulation
34 in the area in which the health care facility is located.

35 Failure to comply with the time limit requirement of this
36 Section shall subject the denying party to expenses and

1 reasonable attorneys' fees incurred in connection with any
2 court ordered enforcement of the provisions of this Section.

3 (Source: P.A. 92-228, eff. 9-1-01; 93-87, eff. 7-2-03.)