

1 AN ACT concerning regulation.

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

4 Section 5. The Emergency Medical Services (EMS) Systems Act
5 is amended by changing Section 3.150 as follows:

6 (210 ILCS 50/3.150)

7 Sec. 3.150. Immunity from civil liability.

8 (a) Any person, agency or governmental body certified,
9 licensed or authorized pursuant to this Act or rules
10 thereunder, who in good faith provides emergency or
11 non-emergency medical services during a Department approved
12 training course, in the normal course of conducting their
13 duties, or in an emergency, shall not be civilly liable as a
14 result of their acts or omissions in providing such services
15 unless such acts or omissions, including the bypassing of
16 nearby hospitals or medical facilities in accordance with the
17 protocols developed pursuant to this Act, constitute willful
18 and wanton misconduct.

19 (b) No person, including any private or governmental
20 organization or institution that administers, sponsors,
21 authorizes, supports, finances, educates or supervises the
22 functions of emergency medical services personnel certified,
23 licensed or authorized pursuant to this Act, including persons

1 participating in a Department approved training program, shall
2 be liable for any civil damages for any act or omission in
3 connection with administration, sponsorship, authorization,
4 support, finance, education or supervision of such emergency
5 medical services personnel, where the act or omission occurs in
6 connection with activities within the scope of this Act, unless
7 the act or omission was the result of willful and wanton
8 misconduct.

9 (c) Exemption from civil liability for emergency care is as
10 provided in the Good Samaritan Act.

11 (d) No local agency, entity of State or local government,
12 or other public or private organization, nor any officer,
13 director, trustee, employee, consultant or agent of any such
14 entity, which sponsors, authorizes, supports, finances, or
15 supervises the training of persons in the use of a basic
16 cardiopulmonary resuscitation, automated external
17 defibrillators, or first aid in a course which complies with
18 generally recognized standards, shall be liable for damages in
19 any civil action based on the training of such persons unless
20 an act or omission during the course of instruction constitutes
21 willful and wanton misconduct.

22 (e) No person who is certified to teach the use of basic
23 cardiopulmonary resuscitation, automated external
24 defibrillators, or first aid and who teaches a course of
25 instruction which complies with generally recognized standards
26 for the use of basic cardiopulmonary resuscitation, automated

1 external defibrillators, or first aid shall be liable for
2 damages in any civil action based on the acts or omissions of a
3 person who received such instruction, unless an act or omission
4 during the course of such instruction constitutes willful and
5 wanton misconduct.

6 (f) No member or alternate of the State Emergency Medical
7 Services Disciplinary Review Board or a local System review
8 board who in good faith exercises his responsibilities under
9 this Act shall be liable for damages in any civil action based
10 on such activities unless an act or omission during the course
11 of such activities constitutes willful and wanton misconduct.

12 (g) No EMS Medical Director who in good faith exercises his
13 responsibilities under this Act shall be liable for damages in
14 any civil action based on such activities unless an act or
15 omission during the course of such activities constitutes
16 willful and wanton misconduct.

17 (h) Nothing in this Act shall be construed to create a
18 cause of action or any civil liabilities.

19 (Source: P.A. 89-177, eff. 7-19-95; 89-607, eff. 1-1-97.)

20 Section 10. The Good Samaritan Act is amended by changing
21 Sections 12 as follows:

22 (745 ILCS 49/12)

23 Sec. 12. Use of an automated ~~automatic~~ external
24 defibrillator; exemption from civil liability for emergency

1 care. Any person who has successfully completed the training
2 requirements of a course in basic emergency care of a person in
3 cardiac arrest that:

4 (i) included training in the operation and use of an
5 automated ~~automatic~~ external defibrillator; and

6 (ii) was conducted in accordance with the standards of
7 the American Heart Association,

8 and who, in good faith, not for compensation, renders emergency
9 medical care involving the use of an automated ~~automatic~~
10 external defibrillator in accordance with his or her training
11 is not liable for any civil damages as a result of any act or
12 omission, except for willful and wanton misconduct, by that
13 person in rendering that care.

14 (Source: P.A. 90-746, eff. 8-14-98.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.