

HB5738



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5738

Introduced 2/9/2010, by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

210 ILCS 50/32.5

Amends the Emergency Medical Services (EMS) Systems Act. Makes technical changes in a Section concerning freestanding emergency centers.

LRB096 18157 KTG 33532 b

A BILL FOR

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 32.5 as follows:

6 (210 ILCS 50/32.5)

7 Sec. 32.5. Freestanding Emergency Center.

8 (a) The ~~The~~ Department shall issue an annual Freestanding
9 Emergency Center (FEC) license to any facility that has
10 received a permit from the ~~Illinois~~ Health Facilities and
11 Services Review Planning Board to establish a Freestanding
12 Emergency Center if the application for the permit has been
13 deemed complete by the Department of Public Health by March 1,
14 2009, and:

15 (1) is located: (A) in a municipality with a population
16 of 75,000 or fewer inhabitants; (B) within 20 miles of the
17 hospital that owns or controls the FEC; and (C) within 20
18 miles of the Resource Hospital affiliated with the FEC as
19 part of the EMS System;

20 (2) is wholly owned or controlled by an Associate or
21 Resource Hospital, but is not a part of the hospital's
22 physical plant;

23 (3) meets the standards for licensed FECs, adopted by

1 rule of the Department, including, but not limited to:

2 (A) facility design, specification, operation, and
3 maintenance standards;

4 (B) equipment standards; and

5 (C) the number and qualifications of emergency
6 medical personnel and other staff, which must include
7 at least one board certified emergency physician
8 present at the FEC 24 hours per day.

9 (4) limits its participation in the EMS System strictly
10 to receiving a limited number of BLS runs by emergency
11 medical vehicles according to protocols developed by the
12 Resource Hospital within the FEC's designated EMS System
13 and approved by the Project Medical Director and the
14 Department;

15 (5) provides comprehensive emergency treatment
16 services, as defined in the rules adopted by the Department
17 pursuant to the Hospital Licensing Act, 24 hours per day,
18 on an outpatient basis;

19 (6) provides an ambulance and maintains on site
20 ambulance services staffed with paramedics 24 hours per
21 day;

22 (7) (blank);

23 (8) complies with all State and federal patient rights
24 provisions, including, but not limited to, the Emergency
25 Medical Treatment Act and the federal Emergency Medical
26 Treatment and Active Labor Act;

1 (9) maintains a communications system that is fully
2 integrated with its Resource Hospital within the FEC's
3 designated EMS System;

4 (10) reports to the Department any patient transfers
5 from the FEC to a hospital within 48 hours of the transfer
6 plus any other data determined to be relevant by the
7 Department;

8 (11) submits to the Department, on a quarterly basis,
9 the FEC's morbidity and mortality rates for patients
10 treated at the FEC and other data determined to be relevant
11 by the Department;

12 (12) does not describe itself or hold itself out to the
13 general public as a full service hospital or hospital
14 emergency department in its advertising or marketing
15 activities;

16 (13) complies with any other rules adopted by the
17 Department under this Act that relate to FECs;

18 (14) passes the Department's site inspection for
19 compliance with the FEC requirements of this Act;

20 (15) submits a copy of the permit issued by the Health
21 Facilities and Services Review Board indicating that the
22 facility has complied with the Illinois Health Facilities
23 Planning Act with respect to the health services to be
24 provided at the facility;

25 (16) submits an application for designation as an FEC
26 in a manner and form prescribed by the Department by rule;

1 and

2 (17) pays the annual license fee as determined by the
3 Department by rule.

4 (b) The Department shall:

5 (1) annually inspect facilities of initial FEC
6 applicants and licensed FECs, and issue annual licenses to
7 or annually relicense FECs that satisfy the Department's
8 licensure requirements as set forth in subsection (a);

9 (2) suspend, revoke, refuse to issue, or refuse to
10 renew the license of any FEC, after notice and an
11 opportunity for a hearing, when the Department finds that
12 the FEC has failed to comply with the standards and
13 requirements of the Act or rules adopted by the Department
14 under the Act;

15 (3) issue an Emergency Suspension Order for any FEC
16 when the Director or his or her designee has determined
17 that the continued operation of the FEC poses an immediate
18 and serious danger to the public health, safety, and
19 welfare. An opportunity for a hearing shall be promptly
20 initiated after an Emergency Suspension Order has been
21 issued; and

22 (4) adopt rules as needed to implement this Section.

23 (Source: P.A. 95-584, eff. 8-31-07; 96-23, eff. 6-30-09; 96-31,
24 eff. 6-30-09; revised 8-20-09.)