

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 Hospital Licensing Act is amended by  
5 changing Section 6.08 as follows:

6 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)  
7 Sec. 6.08.

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

19 (b) The Department shall utilize the Centers for Disease  
20 Control and Prevention's list of potentially life-threatening  
21 infectious diseases to determine the diseases for which  
22 ~~establish by regulation a list of those communicable reportable~~  
23 ~~diseases and conditions for which~~ notification shall be

1 provided.

2 (c) The hospital shall send the letter of notification no  
3 later than 48 hours ~~within 72 hours~~ after a confirmed diagnosis  
4 of any of the bloodborne communicable diseases listed by the  
5 Department pursuant to subsection (b), ~~except confirmed~~  
6 ~~diagnoses of Acquired Immunodeficiency Syndrome (AIDS).~~ The ~~If~~  
7 ~~there is a confirmed diagnosis of AIDS,~~ the hospital shall  
8 attempt to make verbal communication, followed by written ~~send~~  
9 ~~the letter of~~ notification only if the police officers,  
10 firefighters, emergency medical technicians, private emergency  
11 medical services providers, or ambulance personnel have  
12 indicated both verbally and on the ambulance run sheet that a  
13 reasonable possibility exists that they have had blood or body  
14 fluid contact with the patient, or if hospital personnel  
15 providing the notification have reason to know of a possible  
16 exposure.

17 (c-5) The hospital shall send the letter of notification no  
18 later than 48 hours after a confirmed diagnosis of any of the  
19 airborne or droplet-transmitted communicable diseases listed  
20 by the Department pursuant to subsection (b) and the hospital  
21 shall attempt to make verbal communication, followed by written  
22 notification.

23 (d) Notification letters shall be sent to the designated  
24 officer ~~contact~~ at the municipal or private provider agencies  
25 listed on the ambulance run sheet. Except in municipalities  
26 with a population over 1,000,000, a list attached to the

1 ambulance run sheet must contain all municipal and private  
2 provider agency personnel who have provided any pre-hospital  
3 care immediately prior to transport. In municipalities with a  
4 population over 1,000,000, the ambulance run sheet must contain  
5 the company number or unit designation number for any fire  
6 department personnel who have provided any pre-hospital care  
7 immediately prior to transport. The letter shall state the  
8 names of crew members listed on the attachment to the ambulance  
9 run sheet and the name of the communicable disease diagnosed,  
10 but shall not contain the patient's name. Upon receipt of such  
11 notification letter, the applicable private provider agency or  
12 the designated infectious disease control officer of a  
13 municipal fire department or fire protection district shall  
14 contact all personnel involved in the pre-hospital or  
15 inter-hospital care and transport of the patient. Such  
16 notification letter may, but is not required to, consist of the  
17 following form:

## 18 NOTIFICATION LETTER

19 (NAME OF HOSPITAL)

20 (ADDRESS)

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

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

23 DATE:.....

24 As required by Section 6.08 of the Illinois Hospital  
25 Licensing Act, .....(name of hospital) is hereby providing  
26 notification that the following crew members or agencies

1 transported or provided pre-hospital care to a patient on .....  
2 (date), and the transported patient was later diagnosed as  
3 having .....(name of communicable disease): .....(list of crew  
4 members if known). The Hospital Licensing Act requires you to  
5 maintain this information as a confidential medical record.  
6 Disclosure of this information may therefore result in civil  
7 liability for the individual or company breaching the patient's  
8 confidentiality, or both.

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

13 (e) Upon discharge of a patient with a communicable disease  
14 to emergency personnel, the hospital shall notify the emergency  
15 personnel of appropriate precautions against the communicable  
16 disease, but shall not identify the name of the disease.

17 (f) The hospital may, in its discretion, take any measures  
18 in addition to those required in this Section to notify police  
19 officers, firefighters, emergency medical technicians, and  
20 ambulance personnel of possible exposure to any communicable  
21 disease. However, in all cases this information shall be  
22 maintained as a confidential medical record.

23 (g) Any person providing or failing to provide notification  
24 under the protocol required by this Section shall have immunity  
25 from any liability, either criminal or civil, that might result  
26 by reason of such action or inaction, unless such action or

1 inaction is willful.

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

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

13 (Source: P.A. 92-363, eff. 1-1-02.)

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