

# HB1434



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

**HB1434**

Introduced 1/28/2025, by Rep. Janet Yang Rohr

### SYNOPSIS AS INTRODUCED:

New Act  
815 ILCS 505/2Z

from Ch. 121 1/2, par. 262Z

Creates the Health Care Facility Fee Transparency Act. Defines terms. Requires hospitals or health care systems to provide transparency, including written notices and proper signage, regarding facility fees, with certain requirements. Provides that a failure to comply with these requirements constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Amends the Consumer Fraud and Deceptive Business Practices Act. Adds the Health Care Facility Fee Transparency Act to the list of other Acts that constitute a violation of the Consumer Fraud and Deceptive Business Practices Act.

LRB104 05783 BDA 15813 b

A BILL FOR

1 AN ACT concerning business.

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

4 Section 1. Short title. This Act may be cited as the Health  
5 Care Facility Fee Transparency Act.

6 Section 5. Definitions. In this Act:

7 "Campus" means:

8 (1) the physical area immediately adjacent to a  
9 hospital's main buildings and other areas and structures  
10 that are not strictly contiguous to the main buildings but  
11 are located within 250 yards of the main building; or

12 (2) any other building that is part of a hospital's  
13 campus.

14 "Facility Fee" means any fee charged or billed by a  
15 hospital or health system for outpatient hospital services  
16 provided in a hospital-based facility that is:

17 (1) intended to compensate the hospital or health  
18 system for its operational expenses; and

19 (2) separate and distinct from a professional fee  
20 charged or billed by a health care provider for  
21 professional medical services.

22 "Health care system" or "Health system" means:

23 (1) a parent corporation of one or more hospitals and

1 any entity affiliated with such corporation through  
2 ownership, governance, membership, or other means; or

3 (2) a hospital and any entity affiliated with such  
4 hospital through ownership, governance, membership, or  
5 other means.

6 "Hospital" means any facility or institution required to  
7 be licensed pursuant to the Hospital Licensing Act or operated  
8 under the University of Illinois Hospital Act.

9 "Hospital-based facility" means a facility that is owned  
10 or operated, in whole or in part, by a hospital or health  
11 system where hospital or professional medical services are  
12 provided.

13 "Professional fee" means any fee charged or billed by a  
14 provider for professional medical services provided in a  
15 hospital-based facility.

16 "Provider" means an individual, entity, corporation, or  
17 health care provider, whether for profit or nonprofit, whose  
18 primary purpose is to provide professional medical services.

19 Section 10. Requirement of hospitals or health care  
20 systems to provide transparency regarding facility fees.

21 (a) If a hospital or health system charges a facility fee  
22 utilizing a current procedural terminology evaluation and  
23 management (CPT E/M) code for outpatient services provided at  
24 a hospital-based facility where a professional fee is also  
25 expected to be charged, the hospital or health system shall

1 provide the patient with a written notice containing the  
2 following information:

3 (1) that the hospital-based facility fee is part of a  
4 hospital or health system which charges a facility fee in  
5 addition to and separate from the professional fee charged  
6 or billed by the provider;

7 (2) the amount of the patient's potential financial  
8 liability, including any facility fees likely to be  
9 charged and any professional fees likely to be charged; if  
10 the exact type and extent of the professional medical  
11 services needed are not known or the terms of a patient's  
12 health insurance coverage are not known with reasonable  
13 certainty, an estimate of the patient's potential  
14 financial liability shall be provided based on typical  
15 charges for the services provided to the patient at the  
16 hospital-based facility, including the cost of the  
17 facility fee;

18 (3) a statement that the patient's financial liability  
19 will depend on professional medical services provided;

20 (4) an explanation that the patient may incur a  
21 financial liability that is greater than if the  
22 professional medical services were provided by a facility  
23 that is not hospital-based; and

24 (5) that a patient covered by a health insurance  
25 policy should contact the patient's health insurance  
26 provider for additional information regarding the

1 hospital's or health system's charges or fees, as well as  
2 the patient's potential financial liability for those  
3 charges and fees.

4 (b) If a hospital or health system charges a facility fee  
5 without using a current procedural terminology and management  
6 (CPT E/M) code for outpatient services provided at a  
7 hospital-based facility, located outside the boundaries of the  
8 hospital campus, the hospital or health system shall provide  
9 the patient with a written notice containing the following  
10 information:

11 (1) that the hospital-based facility is part of a  
12 hospital or health system which charges a facility fee in  
13 addition to and separate from the professional fee charged  
14 or billed by the provider;

15 (2) a statement that the patient's actual financial  
16 liability will depend on the professional medical services  
17 actually provided to the patient;

18 (3) an explanation that the patient may incur a  
19 financial liability that is greater than if the  
20 professional medical services were provided by a facility  
21 that is not hospital-based; and

22 (4) that a patient covered by a health insurance  
23 policy should contact the patient's health insurance  
24 provider for additional information regarding the  
25 hospital's or health system's charges of fees, as well as  
26 the patient's potential financial liability for those

1 charges and fees.

2 (c) The written notice described in this Section shall be  
3 in simple language in a form that a patient who does not  
4 possess any knowledge regarding hospital or health system  
5 charges and fees would be able to understand.

6 (d) The notice described in this Section shall be provided  
7 to the patient in the following manner:

8 (1) For non-emergency care, if a patient's appointment  
9 is scheduled to occur 10 or more days after the  
10 appointment is made, written notice shall be sent to the  
11 patient by first class mail, encrypted electronic mail, or  
12 a secure patient Internet portal not less than 3 days  
13 after the appointment is made. If an appointment is  
14 scheduled to occur less than 10 days after the appointment  
15 is made, written notice shall be hand-delivered to the  
16 patient when the patient arrives at the hospital-based  
17 facility.

18 (2) For emergency care, written notice shall be  
19 provided to the patient as soon as practicable after the  
20 patient is stabilized or is determined to not have an  
21 emergency medical condition and before the patient leaves  
22 the hospital-based facility. If the patient is  
23 unconscious, under great duress, or for any other reason  
24 is unable to read the notice and act on the patient's  
25 rights, the notice shall be provided to the patient's  
26 representative as soon as practicable.

1 (e) A hospital-based facility shall prominently display  
2 written notices in locations that are readily accessible to  
3 and visible by patients, including patient waiting areas,  
4 stating that:

5 (1) the hospital-based facility is part of a hospital  
6 or health system; and

7 (2) if the hospital-based facility charges a facility  
8 fee, the patient may incur a financial liability greater  
9 than if the facility was not hospital-based.

10 (f) A hospital-based facility shall clearly hold itself  
11 out to the public and payers as being hospital based,  
12 including, at a minimum, by stating the name of the hospital or  
13 health system in its signage, marketing materials, Internet  
14 websites, and stationary.

15 (g) A failure by a health system, health facility, or  
16 hospital to comply with the requirements in this Act  
17 constitutes an unlawful practice under the Consumer Fraud and  
18 Deceptive Business Practices Act.

19 Section 15. The Consumer Fraud and Deceptive Business  
20 Practices Act is amended by changing Section 2Z as follows:

21 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

22 Sec. 2Z. Violations of other Acts. Any person who  
23 knowingly violates the Automotive Repair Act, the Automotive  
24 Collision Repair Act, the Home Repair and Remodeling Act, the

1 Dance Studio Act, the Physical Fitness Services Act, the  
2 Hearing Instrument Consumer Protection Act, the Illinois Union  
3 Label Act, the Installment Sales Contract Act, the Job  
4 Referral and Job Listing Services Consumer Protection Act, the  
5 Travel Promotion Consumer Protection Act, the Credit Services  
6 Organizations Act, the Automatic Telephone Dialers Act, the  
7 Pay-Per-Call Services Consumer Protection Act, the Telephone  
8 Solicitations Act, the Illinois Funeral or Burial Funds Act,  
9 the Cemetery Oversight Act, the Cemetery Care Act, the Safe  
10 and Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales  
11 Act, the High Risk Home Loan Act, the Payday Loan Reform Act,  
12 the Predatory Loan Prevention Act, the Mortgage Rescue Fraud  
13 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax  
14 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use  
15 Tax Act, the Electronic Mail Act, the Internet Caller  
16 Identification Act, paragraph (6) of subsection (k) of Section  
17 6-305 of the Illinois Vehicle Code, Section 11-1431, 18d-115,  
18 18d-120, 18d-125, 18d-135, 18d-150, or 18d-153 of the Illinois  
19 Vehicle Code, Article 3 of the Residential Real Property  
20 Disclosure Act, the Automatic Contract Renewal Act, the  
21 Reverse Mortgage Act, Section 25 of the Youth Mental Health  
22 Protection Act, the Personal Information Protection Act, or  
23 the Student Online Personal Protection Act, or the Health Care  
24 Facility Fee Transparency Act commits an unlawful practice  
25 within the meaning of this Act.

26 (Source: P.A. 100-315, eff. 8-24-17; 100-416, eff. 1-1-18;

1 100-863, eff. 8-14-18; 101-658, eff. 3-23-21.)