



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3645

Introduced 2/18/2025, by Rep. Michael J. Kelly

#### SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.233

Amends the Emergency Medical Services (EMS) Systems Act. In provisions concerning opioid overdose reporting, provides that overdose information reported by a covered vehicle service provider shall not be used in an opioid use-related criminal investigation, prosecution, welfare checks, or warrant checks of the individual who was treated by the covered vehicle service provider personnel for experiencing the suspected or actual overdose. Provides that any misuse of the information reported by a covered vehicle service provider shall result in, but is not limited to, the Department of Transportation reporting misuse to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or similar technology platform. Permits the Department of Health to adopt rules to set forth standards under which misuse of access may be reported to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Map or similar platform based on misuse or misconduct by a covered vehicle service provider or other individual or entity at the discretion of the Department. Provides that no data that allows for or creates a risk of identification of an individual or individuals experiencing a suspected or actual overdose treated by the covered vehicle service provider personnel shall be submitted to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or Similar technology platform. Provides that covered vehicle service provider personnel may report overdose surveillance through an identified technology platform for the use of overdose surveillance under exceptions to HIPAA and the reported data shall only be used to support public safety and public health efforts. Sets forth additional provisions concerning requirements for the Department concerning opioid overdose reporting.

LRB104 09244 BAB 19301 b

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  
5 Act is amended by changing Section 3.233 as follows:

6 (210 ILCS 50/3.233)

7 Sec. 3.233. Opioid overdose reporting.

8 (a) In this Section:

9 "Covered vehicle service provider" means a licensed  
10 vehicle service provider ~~that is a municipality with a~~  
11 ~~population of 1,000,000 or greater.~~

12 "Covered vehicle service provider personnel" means  
13 individuals licensed by the Department as an EMT, EMT-I,  
14 A-EMT, or EMT-P who are employed by a covered vehicle service  
15 provider.

16 "Opioid" means any narcotic containing opium or one or  
17 more of its natural or synthetic derivatives.

18 "Overdose" means a physiological event that results in a  
19 life-threatening emergency to an individual who ingested,  
20 inhaled, injected, or otherwise bodily absorbed an opioid.

21 (b) Covered vehicle service provider personnel who treat  
22 and either release or transport to a health care facility an  
23 individual experiencing a suspected or an actual overdose

1 shall document in the patient's care report the information  
2 specified in subsection (c) within 24 hours of the initial  
3 reporting of the incident.

4 (c) A patient care report of an overdose made under this  
5 Section shall include:

6 (1) the date and time of the overdose;

7 (2) the location in latitude and longitude, to no more  
8 than 4 decimal places, where the overdose victim was  
9 initially encountered by the covered vehicle service  
10 provider personnel;

11 (3) whether one or more doses of an opioid overdose  
12 reversal drug were administered; and

13 (4) whether the overdose was fatal or nonfatal when  
14 the overdose victim was initially encountered by the  
15 covered vehicle service provider personnel and during the  
16 transportation of the victim to a health care facility.

17 (d) Upon receipt of a patient care report that documents  
18 an overdose, a covered vehicle service provider shall report  
19 the information listed under subsection (c) to:

20 (i) the Washington/Baltimore High Intensity Drug  
21 Trafficking Area Overdose Detection Mapping Application;  
22 or

23 (ii) any similar information technology platform with  
24 secure access operated by the federal government or a unit  
25 of State ~~state~~ or local government, as determined by the  
26 covered vehicle service provider and as approved by the

1 Department.

2 (e) Overdose information reported by a covered vehicle  
3 service provider under this Section shall not be used in an  
4 opioid use-related criminal investigation, ~~or~~ prosecution,  
5 welfare checks, or warrant checks of the individual who was  
6 treated by the covered vehicle service provider personnel for  
7 experiencing the suspected or actual overdose. Any misuse of  
8 the information reported by a covered vehicle service provider  
9 shall result in, but is not limited to, the Department  
10 reporting misuse to the Washington/Baltimore High Intensity  
11 Drug Trafficking Area Overdose Detection Mapping Application  
12 or similar technology platform. The Department may adopt rules  
13 to set forth standards under which misuse of access may be  
14 reported to the Washington/Baltimore High Intensity Drug  
15 Trafficking Area Overdose Detection Map or similar platform  
16 based on misuse or misconduct by a covered vehicle service  
17 provider or other individual or entity at the discretion of  
18 the Department.

19 (f) Covered vehicle service providers or covered vehicle  
20 service provider personnel that in good faith make a report  
21 under this Section shall be immune from civil or criminal  
22 liability for making the report.

23 (g) No data that allows for or creates a risk of  
24 identification of an individual or individuals experiencing a  
25 suspected or actual overdose treated by the covered vehicle  
26 service provider personnel shall be submitted to the

1 Washington/Baltimore High Intensity Drug Trafficking Area  
2 Overdose Detection Mapping Application or Similar technology  
3 platform.

4 (h) Covered vehicle service provider personnel may report  
5 overdose surveillance through an identified technology  
6 platform for the use of overdose surveillance under exceptions  
7 to HIPAA and the reported data shall only be used to support  
8 public safety and public health efforts.

9 (i) Efforts shall be made by the Department to enhance  
10 sharing of information to identify areas of need and provide  
11 harm reduction resources and strategies when and where it is  
12 most needed. This may include working with the Regional Care  
13 Coordination Advisory Councils or the formation of a risk  
14 reduction advisory group that may include State and local  
15 public health, healthcare, harm reduction providers, and first  
16 responders and law enforcement to address harm reduction  
17 instead of criminal prosecution.

18 (j) The Department shall partner with harm reduction  
19 providers, local health departments, and law enforcement to  
20 identify performance measures for the use of the overdose  
21 detection mapping system surveillance data and monitor the  
22 impact of the use of the system and its data. This data shall  
23 also be used to develop and implement evidence-based  
24 strategies to prevent opioid overdoses.

25 (Source: P.A. 101-320, eff. 8-9-19; 102-558, eff. 8-20-21.)