

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 EMTs, EMT-Is,
14 A-EMTs, Paramedics, PHRNs, PHAPRNs, or PHPAs ~~an EMT, EMT I,~~
15 ~~A EMT, or EMT P~~ who are employed by a covered vehicle service
16 provider.

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

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

22 (b) Covered vehicle service provider personnel who treat
23 and either release or transport to a health care facility an

1 individual experiencing a suspected or an actual overdose
2 shall document in the patient's care report the information
3 specified in subsection (c) within 24 hours of the initial
4 reporting of the incident.

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

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

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

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

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

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

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

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

1 covered vehicle service provider and as approved by the
2 Department.

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

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

24 (g) No data that allows for or creates a risk of
25 identification of an individual or individuals experiencing a
26 suspected or actual overdose treated by the covered vehicle

1 service provider personnel shall be submitted to the
2 Washington/Baltimore High Intensity Drug Trafficking Area
3 Overdose Detection Mapping Application or a similar technology
4 platform.

5 (h) Covered vehicle service provider personnel may report
6 overdose surveillance through an identified technology
7 platform for the use of overdose surveillance under exceptions
8 to the Health Insurance Portability and Accountability Act of
9 1996 and the reported data shall only be used to support public
10 safety and public health efforts.

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

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

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