



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5022

Introduced 2/10/2026, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

See Index

Provides that the amendatory Act may be referred to as the Reproductive Liberty and Justice Act. Amends the Equity and Representation in Health Care Act. Expands the definition of "medical facility" to include a reproductive health center established at a nonprofit community health center. Makes other changes. Amends the Birth Center Licensing Act. Makes changes to the definition of "birth center". Provides that a birth center and any licensed provider of abortion and birth control services on site may be colocated at the same facility. Requires the Department of Public Health to adopt rules for licensing and designating colocated facilities to provide specified essential reproductive health care services. Contains other provisions. Amends the Licensed Certified Professional Midwife Practice Act. Provides that a licensed certified professional midwife may provide out-of-hospital care to a childbearing individual who has had a previous cesarean section, if authorized by the Department of Financial and Professional Regulation. Removes language prohibiting a licensed certified professional midwife from (1) performing an abortion or (2) knowingly accepting responsibility for prenatal or intrapartum care of a client with alcohol abuse or drug addiction. Amends the Abused and Neglected Child Reporting Act. Removes from the definition of "neglected child" any child who is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance. Makes corresponding changes to the Juvenile Court Act of 1987, the Adoption Act, and the Vital Records Act. Contains provisions concerning CAPTA notifications and prohibited disclosures regarding the results of a toxicology test administered on a newborn or a pregnant person. Amends the Substance Use Disorder Act. Contains provisions concerning Plans of Safe Care. Amends the Medical Patient Rights Act. Provides that a patient has the right for a physician and other health care service providers to administer specified medical tests without disclosing the results of the test to a law enforcement agency or to the Department of Children and Family Services. Amends the Illinois Health and Hazardous Substances Registry Act. Makes changes to the definition of "adverse pregnancy outcome". Contains provisions concerning certificates of birth resulting in stillbirth. Makes other changes.

LRB104 18089 TRT 31528 b

A BILL FOR

1 AN ACT concerning health.

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

4 Section 1. This Act may be referred to as the Reproductive  
5 Liberty and Justice Act.

6 Section 3. Purpose. The purposes of this Act are to reduce  
7 racial and geographic inequities that currently preclude  
8 segments of the Illinois population from autonomously  
9 exercising the fundamental rights and liberties provided by  
10 the Reproductive Health Act; to provide patients with secure  
11 knowledge that the personal information they disclose to  
12 providers of reproductive health care services will remain  
13 private and confidential; to correct deficiencies in the  
14 implementation of Public Act 93-578, such that families who  
15 experience stillbirth are treated with dignity and respect by  
16 this State; and to ensure that the increasing number of  
17 patients traveling to Illinois from out-of-state for legal  
18 abortion care does not compound inequities in the availability  
19 of and access to maternity care among childbearing families  
20 who reside in Illinois.

21 Section 5. The Substance Use Disorder Act is amended by  
22 adding Section 35-15 as follows:

1 (20 ILCS 301/35-15 new)

2 Sec. 35-15. Plans of Safe Care. The Division of Substance  
3 Use Prevention and Recovery, in consultation with the Illinois  
4 Perinatal Quality Collaborative or its successor organization,  
5 shall develop a standardized Plan of Safe Care form to support  
6 discharge planning for mothers and infants affected by  
7 prenatal substance exposure. Plans of Safe Care shall not be  
8 recorded in the State Central Registry described in Section 7  
9 of the Abused and Neglected Child Reporting Act and shall not  
10 be discoverable or admissible as evidence in any proceeding  
11 pursuant to the Juvenile Court Act of 1987 or the Adoption Act  
12 unless the named party waives his or her right to  
13 confidentiality in writing.

14 As used in this Section, "Plan of Safe Care" means a  
15 written or electronic document designed to ensure the safety  
16 and well-being of a newborn who has been identified by his or  
17 her healthcare provider as being affected by prenatal  
18 substance exposure or withdrawal symptoms, or a fetal alcohol  
19 spectrum disorder (FASD), and his or her gestational parent.

20 Section 10. The Equity and Representation in Health Care  
21 Act is amended by changing Section 10 as follows:

22 (110 ILCS 932/10)

23 Sec. 10. Definitions. As used in this Act:

1 "Accredited school" means a college or university in which  
2 a degree in allopathic medicine, osteopathic medicine,  
3 dentistry, physical therapy, or an equivalent credential for a  
4 health program is earned and for which the Council for Higher  
5 Education Accreditation or its affiliates has determined that  
6 the school meets specific standards for its programs, faculty,  
7 and curriculum.

8 "Advanced practice registered nurse" or "APRN" means an  
9 advanced practice registered nurse as defined under Section  
10 50-10 of the Nurse Practice Act.

11 "Allopathic medicine" means the use of pharmacological  
12 agents or physical interventions to treat or suppress symptoms  
13 or processes of diseases or conditions.

14 "Applicant" means a health care professional or medical  
15 facility who applies for loan repayment assistance or  
16 scholarship funds under this Act.

17 "Approved graduate training" means training in medicine,  
18 dentistry, or any other health profession that leads to  
19 eligibility for board certification, provides evidence of  
20 completion, and is approved by the appropriate health care  
21 professional's body.

22 "Behavioral health provider" means a provider of a  
23 commonly recognized discipline in the behavioral health  
24 industry, including, but not limited to, licensed clinical  
25 social workers, behavioral health therapists, certified  
26 marriage and family counselors, licensed social workers, and

1 addiction counselors.

2 "Breach of service obligation" means failure for any  
3 reason to begin or complete a contractual service commitment.

4 "Commercial loan" means a loan made by a bank, credit  
5 union, savings-and-loan ~~savings—and—loan~~ association,  
6 insurance company, school, or other financial institution.

7 "Community health center" means a migrant health center,  
8 community health center, health care program for the homeless  
9 or for residents of public housing supported under Section 330  
10 of the federal Public Health Service Act, or FQHC, including  
11 an FQHC Look-Alike, as designated by the U.S. Department of  
12 Health and Human Services, that operates at least one  
13 federally designated primary health care delivery site in  
14 Illinois.

15 "Default" means failure to meet a legal obligation or  
16 condition of a loan.

17 "Department" means the Department of Public Health.

18 "Dental assistant" means a person who serves as a member  
19 of a dental care team, working directly with a dentist to  
20 perform duties that include, but are not limited to, assisting  
21 with dental procedures, preparing patients for procedures,  
22 preparing examinations, and sterilizing equipment.

23 "Dentist" means a person licensed to practice dentistry  
24 under the Illinois Dental Practice Act.

25 "Director" means the Director of Public Health.

26 "Equity and Representation in Health Care Workforce

1     Repayment Program" or "Repayment Program" means the Equity and  
2     Representation in Health Care Workforce Repayment Program  
3     created under subsection (a) of Section 15.

4     "Equity and Representation in Health Care Workforce  
5     Scholarship Program" or "Scholarship Program" means the Equity  
6     and Representation in Health Care Workforce Scholarship  
7     Program created under subsection (b) of Section 15.

8     "Federally Qualified Health Center" or "FQHC" means a  
9     health center funded under Section 330 of the federal Public  
10    Health Service Act.

11    "Federally Qualified Health Center Look-Alike" or "FQHC  
12    Look-Alike" means a health center that meets the requirements  
13    for receiving a grant under Section 330 of the federal Public  
14    Health Service Act but does not receive funding under that  
15    authority.

16    "Government loan" means a loan made by a federal, State,  
17    county, or city agency authorized to make the loan.

18    "Health care professional" means a physician, physician  
19    assistant, advanced practice registered nurse, nurse,  
20    chiropractic physician, podiatric physician, physical  
21    therapist, physical therapist assistant, occupational  
22    therapist, speech therapist, behavioral health provider,  
23    psychiatrist, psychologist, pharmacist, dentist, medical  
24    assistant, dental assistant, or dental hygienist.

25    "Health professional shortage area" or "HPSA" means a  
26    designation from the U.S. Department of Health and Human

1 Services that indicates the shortage of primary medical care  
2 or dental or mental health providers. The designation may be  
3 geographic, such as a county or service area; demographic,  
4 such as low-income population; or institutional, such as a  
5 comprehensive health center, FQHC, or other public facility.

6 "Lender" means the commercial or government entity that  
7 makes a qualifying loan.

8 "Licensed certified professional midwife" means a person  
9 who meets the requirements under Section 45 of the Licensed  
10 Certified Professional Midwife Practice Act and holds an  
11 active license to practice as a certified professional midwife  
12 in Illinois.

13 "Loan repayment award" or "award" means the amount of  
14 funding awarded to a recipient based upon his or her  
15 reasonable educational expenses, up to a maximum established  
16 by the program.

17 "Loan repayment agreement" or "agreement" means the  
18 written instrument defining a legal relationship entered into  
19 between the Department and a recipient.

20 "Medical assistant" means a person who serves as a member  
21 of a medical care team working directly with other providers  
22 to perform duties that include, but are not limited to,  
23 gathering patient information, taking vital signs, preparing  
24 patients for examinations, and assisting physicians during  
25 examinations.

26 "Medical facility" means a facility in which the delivery

1 of health services is provided. A medical facility must be a  
2 nonprofit or public facility located in Illinois and includes  
3 the following:

4 (1) A Federally Qualified Health Center.

5 (2) An FQHC Look-Alike.

6 (3) A hospital system operated by a county with more  
7 than 3,000,000 residents.

8 (4) A reproductive health center established at a  
9 nonprofit community health center under Section 2310-438  
10 of the Department of Public Health Powers and Duties Law  
11 of the Civil Administrative Code of Illinois, if approved  
12 by the Department.

13 "Medically underserved area" or "MUA" means an area  
14 designated by the U.S. Department of Health and Human  
15 Services' Health Resources and Services Administration as  
16 having too few primary care providers, high infant mortality,  
17 high poverty, or a high elderly population.

18 "Nurse" means a person who is licensed as a licensed  
19 practical nurse or as a registered nurse under the Nurse  
20 Practice Act.

21 "Osteopathic medicine" means medical practice based upon  
22 the theory that diseases are due to loss of structural  
23 integrity, which can be restored by manipulation of the parts  
24 and supplemented by therapeutic measures.

25 "Physical therapist" means an individual licensed as a  
26 physical therapist under the Illinois Physical Therapy Act.

1 "Physical therapist assistant" means an individual  
2 licensed as a physical therapist assistant under the Illinois  
3 Physical Therapy Act.

4 "Physician" means a person licensed to practice medicine  
5 in all of its branches under the Medical Practice Act of 1987.

6 "Physician assistant" means an individual licensed under  
7 the Physician Assistant Practice Act of 1987.

8 "Primary care" means health care that encompasses  
9 prevention services, basic diagnostic and treatment services,  
10 and support services, including laboratory, radiology,  
11 transportation, and pharmacy services.

12 "Psychiatrist" means a physician licensed to practice  
13 medicine in Illinois under the Medical Practice Act of 1987  
14 who has successfully completed an accredited residency program  
15 in psychiatry.

16 "Qualifying loan" means a government loan or commercial  
17 loan used for tuition and reasonable educational and living  
18 expenses related to undergraduate or graduate education that  
19 was obtained by the recipient prior to his or her application  
20 for loan repayment and that is contemporaneous with the  
21 education received.

22 "Reasonable educational expenses" means costs for  
23 education, exclusive of tuition. These costs include, but are  
24 not limited to, fees, books, supplies, clinical travel,  
25 educational equipment, materials, board certification, or  
26 licensing examinations. "Reasonable educational expenses" do

1 not exceed the estimated standard budget for expenses for the  
2 degree program and for the years of enrollment.

3 "Reasonable living expenses" means room and board,  
4 transportation, and commuting costs associated with the  
5 applicant's attendance and participation in an educational and  
6 workforce training program. "Reasonable living expenses" do  
7 not exceed the estimated standard budget for the recipient's  
8 degree program and for the years of enrollment.

9 "Recognized training entity" means an entity approved by  
10 the Department to provide training and education for medical  
11 assistants and dental assistants.

12 "Recipient" means a health care professional or medical  
13 facility that may use loan repayment funds.

14 "Rural" has the same meaning that is used by the federal  
15 Health Resources and Services Administration to determine  
16 eligibility for Rural Health Grants.

17 "State" means the State of Illinois.

18 (Source: P.A. 102-942, eff. 1-1-23; 103-154, eff. 6-30-23.)

19 Section 15. The Hospital Licensing Act is amended by  
20 adding Section 11.11 as follows:

21 (210 ILCS 85/11.11 new)

22 Sec. 11.11. Certificate of birth resulting in stillbirth;  
23 notification. This Section may be referred to as Liam's Law.

24 A hospital having custody of a fetus following a

1 spontaneous fetal death occurring during or after a gestation  
2 period of at least 20 completed weeks must notify the  
3 gestational parent of the parent's right to receive a  
4 certificate of birth resulting in stillbirth as described in  
5 Section 20.5 of the Vital Records Act. The Department of  
6 Public Health shall develop a form to be used for notification  
7 under this Section and hospitals shall provide the form to the  
8 gestational parent. This form shall be known as a "Liam's Law  
9 notice." The Department of Public Health shall consult with  
10 the 2 Illinois-based Fetal Infant Mortality Review Project  
11 Community Action Teams, or their successor organizations, to  
12 ensure that any language included in the standardized "Liam's  
13 Law notice" is culturally sensitive to the needs of bereaved  
14 families. The "Liam's Law notice" shall be available in both  
15 English and Spanish.

16 Section 20. The Birth Center Licensing Act is amended by  
17 changing Section 5 and by adding Section 65 as follows:

18 (210 ILCS 170/5)

19 Sec. 5. Definitions. In this Act:

20 "Birth center" means a designated site, other than a  
21 hospital:

22 (1) in which births are planned to occur following a  
23 normal, uncomplicated, and low-risk pregnancy;

24 (2) that is not the pregnant person's usual place of

1 residence;

2 (3) that is dedicated to serving the reproductive  
3 health care ~~childbirth-related~~ needs of pregnant persons  
4 and ~~their~~ newborns, and has no more than 10 beds;

5 (4) that offers prenatal care and community education  
6 services and coordinates these services with other health  
7 care services available in the community; ~~and~~

8 (5) that does not provide general anesthesia; and ~~or~~  
9 ~~surgery.~~

10 (6) that does not provide surgery except as allowed by  
11 the Department by rule.

12 "Certified nurse midwife" means an advanced practice  
13 registered nurse licensed in Illinois under the Nurse Practice  
14 Act with full practice authority or who is delegated such  
15 authority as part of a written collaborative agreement with a  
16 physician who is associated with the birthing center or who  
17 has privileges at a nearby birthing hospital.

18 "Department" means the Illinois Department of Public  
19 Health.

20 "Hospital" does not include places where pregnant females  
21 are received, cared for, or treated during delivery if it is in  
22 a licensed birth center, nor include any facility required to  
23 be licensed as a birth center.

24 "Licensed certified professional midwife" means a person  
25 who has successfully met the requirements under Section 45 of  
26 the Licensed Certified Professional Midwife Practice Act and

1 holds an active license to practice as a licensed certified  
2 professional midwife in Illinois.

3 "Physician" means a physician licensed to practice  
4 medicine in all its branches in Illinois.

5 "Reproductive health care" has the meaning ascribed to  
6 that term in Section 1-10 of the Reproductive Health Act.

7 (Source: P.A. 102-518, eff. 8-20-21; 102-964, eff. 1-1-23;  
8 102-1117, eff. 1-13-23.)

9 (210 ILCS 170/65 new)

10 Sec. 65. Colocated facilities; essential reproductive  
11 health care services.

12 (a) In this Section, "colocated facility" means a facility  
13 licensed in accordance with rules adopted by the Department  
14 under subsection (c).

15 (b) Notwithstanding any other provision of law, a birth  
16 center licensed under this Act, a birth center operating under  
17 the Alternative Health Care Delivery Act, or any licensed  
18 provider of abortion services and birth control services on  
19 site may be colocated at the same facility.

20 (c) The Department shall adopt rules creating a licensing  
21 scheme and designation for colocated facilities.

22 (d) A colocated facility shall provide essential  
23 reproductive health care services according to a sliding fee  
24 schedule for uninsured patients, such as the Sliding Fee  
25 Discount Program's fee schedule used by Federally Qualified

1 Health Centers. The essential reproductive health care  
2 services include, but are not limited to, all of the  
3 following:

4 (1) Annual women's health examinations, including, but  
5 not limited to, Papanicolaou tests and breast  
6 examinations.

7 (2) Recovery support services for pregnant and  
8 postpartum individuals affected by a substance use  
9 disorder, including, but not limited to, the prescription  
10 of medications that are approved by the United States Food  
11 and Drug Administration and the Center for Substance Abuse  
12 Treatment for the treatment of an opioid use disorder in  
13 pregnant individuals. As used in this paragraph, "recovery  
14 support" has the meaning ascribed to that term in Section  
15 1-10 of the Substance Use Disorder Act.

16 (3) Preconception wellness visits.

17 (4) Prenatal care, including, but not limited to,  
18 ultrasound examinations.

19 (5) Labor and delivery services led by a physician,  
20 certified nurse midwife, or licensed certified  
21 professional midwife.

22 (6) Postpartum care and support.

23 (7) Examinations and prescriptions for contraceptives.

24 (8) Abortion care and post-abortion care, including,  
25 but not limited to, induced terminations and management of  
26 spontaneous fetal death.

1           (9) Examinations, care, and prescriptions for sexually  
2           transmitted infections.

3           (10) Assessment for and prescription of pre-exposure  
4           prophylaxis (PrEP).

5           (11) Perinatal douglas and community health workers who  
6           specialize in reproductive health care issues.

7           (e) A colocated facility shall not refuse access to  
8           essential reproductive health care services described under  
9           subsection (d) to a patient seeking access to any of those  
10           services on the basis of his or her immigration status, state  
11           or territory of residence, insurance status, or of any other  
12           characteristic protected under the Illinois Human Rights Act.

13           (f) A colocated facility must obtain a certificate of need  
14           from the Health Facilities and Services Review Board under the  
15           Health Facilities Planning Act to operate an obstetric bed  
16           unit with a bed capacity of no more than 8 beds.

17           (g) A colocated facility shall link and integrate labor  
18           and delivery services with at least one hospital with a  
19           minimum Level 3 perinatal designation.

20           (h) A colocated facility shall be eligible to receive  
21           funding through the Department of Human Services for  
22           programming described in subsections (h) and (i) of Section  
23           35-5 of the Substance Use Disorder Act.

24           Section 25. The Licensed Certified Professional Midwife  
25           Practice Act is amended by changing Section 85 as follows:

1 (225 ILCS 64/85)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 85. Prohibited practices.

4 (a) A licensed certified professional midwife may not do  
5 any of the following:

6 (1) administer prescription pharmacological agents  
7 intended to induce or augment labor;

8 (2) administer prescription pharmacological agents to  
9 provide pain management;

10 (3) use vacuum extractors or forceps;

11 (4) prescribe medications;

12 (5) provide out-of-hospital intrapartum care to a  
13 childbearing individual who has had a previous cesarean  
14 section;

15 (6) perform ~~abortions~~ or surgical procedures,  
16 including, but not limited to, cesarean sections and  
17 circumcisions, except for an emergency episiotomy;

18 (7) knowingly accept responsibility for prenatal or  
19 intrapartum care of a client with any of the following  
20 risk factors:

21 (A) chronic significant maternal cardiac,  
22 pulmonary, renal, or hepatic disease;

23 (B) malignant disease in an active phase;

24 (C) significant hematological disorders,  
25 coagulopathies, or pulmonary embolism;

- 1 (D) insulin requiring diabetes mellitus;
- 2 (E) known maternal congenital abnormalities  
3 affecting childbirth;
- 4 (F) confirmed isoimmunization, Rh disease with  
5 positive titer;
- 6 (G) active tuberculosis;
- 7 (H) active syphilis or gonorrhea;
- 8 (I) active genital herpes infection 2 weeks prior  
9 to labor or in labor;
- 10 (J) pelvic or uterine abnormalities affecting  
11 normal vaginal births, including tumors and  
12 malformations;
- 13 (K) (blank) ~~alcoholism or alcohol abuse~~;
- 14 (L) (blank) ~~drug addiction or abuse~~; or
- 15 (M) confirmed AIDS status.

16 (b) A licensed certified professional midwife shall not  
17 administer Schedule II through IV controlled substances.  
18 Subject to a prescription by a health care professional,  
19 Schedule V controlled substances may be administered by  
20 licensed certified professional midwives.

21 (Source: P.A. 102-683, eff. 10-1-22.)

22 Section 30. The Abused and Neglected Child Reporting Act  
23 is amended by changing Sections 3, 5, and 7.3 and by adding  
24 Section 3.5 as follows:

1 (325 ILCS 5/3) (from Ch. 23, par. 2053)

2 Sec. 3. As used in this Act unless the context otherwise  
3 requires:

4 "Adult resident" means any person between 18 and 22 years  
5 of age who resides in any facility licensed by the Department  
6 under the Child Care Act of 1969. For purposes of this Act, the  
7 criteria set forth in the definitions of "abused child" and  
8 "neglected child" shall be used in determining whether an  
9 adult resident is abused or neglected.

10 "Agency" means a child care facility licensed under  
11 Section 2.05 or Section 2.06 of the Child Care Act of 1969 and  
12 includes a transitional living program that accepts children  
13 and adult residents for placement who are in the guardianship  
14 of the Department.

15 "Blatant disregard" means an incident where the real,  
16 significant, and imminent risk of harm would be so obvious to a  
17 reasonable parent or caretaker that it is unlikely that a  
18 reasonable parent or caretaker would have exposed the child to  
19 the danger without exercising precautionary measures to  
20 protect the child from harm. With respect to a person working  
21 at an agency in the person's professional capacity with a  
22 child or adult resident, "blatant disregard" includes a  
23 failure by the person to perform job responsibilities intended  
24 to protect the child's or adult resident's health, physical  
25 well-being, or welfare, and, when viewed in light of the  
26 surrounding circumstances, evidence exists that would cause a

1 reasonable person to believe that the child was neglected.  
2 With respect to an agency, "blatant disregard" includes a  
3 failure to implement practices that ensure the health,  
4 physical well-being, or welfare of the children and adult  
5 residents residing in the facility.

6 "CAPTA notification" refers to notification to the  
7 Department of an infant who has been born and identified as  
8 affected by prenatal substance exposure or a fetal alcohol  
9 spectrum disorder as required under the federal Child Abuse  
10 Prevention and Treatment Act.

11 "Child" means any person under the age of 18 years, unless  
12 legally emancipated by reason of marriage or entry into a  
13 branch of the United States armed services.

14 "Department" means Department of Children and Family  
15 Services.

16 "Local law enforcement agency" means the police of a city,  
17 town, village or other incorporated area or the sheriff of an  
18 unincorporated area or any sworn officer of the Illinois State  
19 Police.

20 "Abused child" means a child whose parent or immediate  
21 family member, or any person responsible for the child's  
22 welfare, or any individual residing in the same home as the  
23 child, or a paramour of the child's parent:

24 (a) inflicts, causes to be inflicted, or allows to be  
25 inflicted upon such child physical injury, by other than  
26 accidental means, which causes death, disfigurement,

1 impairment of physical or emotional health, or loss or  
2 impairment of any bodily function;

3 (b) creates a substantial risk of physical injury to  
4 such child by other than accidental means which would be  
5 likely to cause death, disfigurement, impairment of  
6 physical or emotional health, or loss or impairment of any  
7 bodily function;

8 (c) commits or allows to be committed any sex offense  
9 against such child, as such sex offenses are defined in  
10 the Criminal Code of 2012 or in the Wrongs to Children Act,  
11 and extending those definitions of sex offenses to include  
12 children under 18 years of age;

13 (d) commits or allows to be committed an act or acts of  
14 torture upon such child;

15 (e) inflicts excessive corporal punishment or, in the  
16 case of a person working for an agency who is prohibited  
17 from using corporal punishment, inflicts corporal  
18 punishment upon a child or adult resident with whom the  
19 person is working in the person's professional capacity;

20 (f) commits or allows to be committed the offense of  
21 female genital mutilation, as defined in Section 12-34 of  
22 the Criminal Code of 2012, against the child;

23 (g) causes to be sold, transferred, distributed, or  
24 given to such child under 18 years of age, a controlled  
25 substance as defined in Section 102 of the Illinois  
26 Controlled Substances Act in violation of Article IV of

1 the Illinois Controlled Substances Act or in violation of  
2 the Methamphetamine Control and Community Protection Act,  
3 except for controlled substances that are prescribed in  
4 accordance with Article III of the Illinois Controlled  
5 Substances Act and are dispensed to such child in a manner  
6 that substantially complies with the prescription;

7 (h) commits or allows to be committed the offense of  
8 involuntary servitude, involuntary sexual servitude of a  
9 minor, or trafficking in persons as defined in Section  
10 10-9 of the Criminal Code of 2012 against the child; or

11 (i) commits the offense of grooming, as defined in  
12 Section 11-25 of the Criminal Code of 2012, against the  
13 child.

14 A child shall not be considered abused for the sole reason  
15 that the child has been relinquished in accordance with the  
16 Abandoned Newborn Infant Protection Act.

17 "Neglected child" means any child who is not receiving the  
18 proper or necessary nourishment or medically indicated  
19 treatment including food or care not provided solely on the  
20 basis of the present or anticipated mental or physical  
21 impairment as determined by a physician acting alone or in  
22 consultation with other physicians or otherwise is not  
23 receiving the proper or necessary support or medical or other  
24 remedial care recognized under State law as necessary for a  
25 child's well-being, or other care necessary for the child's  
26 well-being, including adequate food, clothing and shelter; or

1 who is subjected to an environment which is injurious insofar  
2 as (i) the child's environment creates a likelihood of harm to  
3 the child's health, physical well-being, or welfare and (ii)  
4 the likely harm to the child is the result of a blatant  
5 disregard of parent, caretaker, person responsible for the  
6 child's welfare, or agency responsibilities; or who is  
7 abandoned by the child's parents or other person responsible  
8 for the child's welfare without a proper plan of care; or who  
9 has been provided with interim crisis intervention services  
10 under Section 3-5 of the Juvenile Court Act of 1987 and whose  
11 parent, guardian, or custodian refuses to permit the child to  
12 return home and no other living arrangement agreeable to the  
13 parent, guardian, or custodian can be made, and the parent,  
14 guardian, or custodian has not made any other appropriate  
15 living arrangement for the child; ~~or who is a newborn infant~~  
16 ~~whose blood, urine, or meconium contains any amount of a~~  
17 ~~controlled substance as defined in subsection (f) of Section~~  
18 ~~102 of the Illinois Controlled Substances Act or a metabolite~~  
19 ~~thereof, with the exception of a controlled substance or~~  
20 ~~metabolite thereof whose presence in the newborn infant is the~~  
21 ~~result of medical treatment administered to the person who~~  
22 ~~gave birth or the newborn infant.~~ A child shall not be  
23 considered neglected for the sole reason that the child's  
24 parent or other person responsible for the child's welfare has  
25 left the child in the care of an adult relative for any period  
26 of time. A child shall not be considered neglected for the sole

1 reason that the child has been relinquished in accordance with  
2 the Abandoned Newborn Infant Protection Act. A child shall not  
3 be considered neglected or abused for the sole reason that  
4 such child's parent or other person responsible for the  
5 child's welfare depends upon spiritual means through prayer  
6 alone for the treatment or cure of disease or remedial care as  
7 provided under Section 4 of this Act. A child shall not be  
8 considered neglected or abused solely because the child is not  
9 attending school in accordance with the requirements of  
10 Article 26 of The School Code, as amended.

11 "Child Protective Service Unit" means certain specialized  
12 State employees of the Department assigned by the Director to  
13 perform the duties and responsibilities as provided under  
14 Section 7.2 of this Act.

15 "Near fatality" means an act that, as certified by a  
16 physician, places the child in serious or critical condition,  
17 including acts of great bodily harm inflicted upon children  
18 under 13 years of age, and as otherwise defined by Department  
19 rule.

20 "Great bodily harm" includes bodily injury which creates a  
21 high probability of death, or which causes serious permanent  
22 disfigurement, or which causes a permanent or protracted loss  
23 or impairment of the function of any bodily member or organ, or  
24 other serious bodily harm.

25 "Person responsible for the child's welfare" means the  
26 child's parent; guardian; foster parent; relative caregiver;

1 any person responsible for the child's welfare in a public or  
2 private residential agency or institution; any person  
3 responsible for the child's welfare within a public or private  
4 profit or not for profit child care facility; or any other  
5 person responsible for the child's welfare at the time of the  
6 alleged abuse or neglect, including any person who commits or  
7 allows to be committed, against the child, the offense of  
8 involuntary servitude, involuntary sexual servitude of a  
9 minor, or trafficking in persons for forced labor or services,  
10 as provided in Section 10-9 of the Criminal Code of 2012,  
11 including, but not limited to, the custodian of the minor, or  
12 any person who came to know the child through an official  
13 capacity or position of trust, including, but not limited to,  
14 health care professionals, educational personnel, recreational  
15 supervisors, members of the clergy, and volunteers or support  
16 personnel in any setting where children may be subject to  
17 abuse or neglect.

18 "Temporary protective custody" means custody within a  
19 hospital or other medical facility or a place previously  
20 designated for such custody by the Department, subject to  
21 review by the Court, including a licensed foster home, group  
22 home, or other institution; but such place shall not be a jail  
23 or other place for the detention of criminal or juvenile  
24 offenders.

25 "An unfounded report" means any report made under this Act  
26 for which it is determined after an investigation that no

1 credible evidence of abuse or neglect exists.

2 "An indicated report" means a report made under this Act  
3 if an investigation determines that credible evidence of the  
4 alleged abuse or neglect exists.

5 "An undetermined report" means any report made under this  
6 Act in which it was not possible to initiate or complete an  
7 investigation on the basis of information provided to the  
8 Department.

9 "Subject of report" means any child reported to the  
10 central register of child abuse and neglect established under  
11 Section 7.7 of this Act as an alleged victim of child abuse or  
12 neglect and the parent or guardian of the alleged victim or  
13 other person responsible for the alleged victim's welfare who  
14 is named in the report or added to the report as an alleged  
15 perpetrator of child abuse or neglect.

16 "Perpetrator" means a person who, as a result of  
17 investigation, has been determined by the Department to have  
18 caused child abuse or neglect.

19 "Member of the clergy" means a clergyperson or  
20 practitioner of any religious denomination accredited by the  
21 religious body to which the clergyperson or practitioner  
22 belongs.

23 (Source: P.A. 102-567, eff. 1-1-22; 102-676, eff. 12-3-21;  
24 102-813, eff. 5-13-22; 103-22, eff. 8-8-23.)

25 (325 ILCS 5/3.5 new)

1       Sec. 3.5. CAPTA notification. The Department shall develop  
2       a standardized CAPTA notification form that is separate and  
3       distinct from the form for written confirmation reports of  
4       child abuse or neglect as described in Section 7 of this Act. A  
5       CAPTA notification shall not be treated as a report of  
6       suspected child abuse or neglect under this Act. CAPTA  
7       notifications shall not be recorded in the State Central  
8       Registry and shall not be discoverable or admissible as  
9       evidence in any proceeding pursuant to the Juvenile Court Act  
10       of 1987 or the Adoption Act unless the named party waives his  
11       or her right to confidentiality in writing.

12           (325 ILCS 5/5) (from Ch. 23, par. 2055)

13       Sec. 5. An officer of a local law enforcement agency,  
14       designated employee of the Department, or a physician treating  
15       a child may take or retain temporary protective custody of the  
16       child without the consent of the person responsible for the  
17       child's welfare, if (1) the officer of a local law enforcement  
18       agency, designated employee of the Department, or a physician  
19       treating a child has reason to believe that there exists a  
20       substantial and imminent risk of death, serious illness, or  
21       severe personal injury to the child if he or she is not  
22       immediately removed from his or her ~~the child cannot be cared~~  
23       ~~for at~~ home or from ~~in~~ the custody of the person responsible  
24       for the child's welfare ~~without endangering the child's health~~  
25       ~~or safety~~; and (2) there is not time to apply for a court order

1 under the Juvenile Court Act of 1987 for temporary custody of  
2 the child. The person taking or retaining a child in temporary  
3 protective custody shall immediately make every reasonable  
4 effort to notify the person responsible for the child's  
5 welfare and shall immediately notify the Department. The  
6 Department shall provide to the temporary caretaker of a child  
7 any information in the Department's possession concerning the  
8 positive results of a test performed on the child to determine  
9 the presence of the antibody or antigen to Human  
10 Immunodeficiency Virus (HIV), or of HIV infection, as well as  
11 any communicable diseases or communicable infections that the  
12 child has. The temporary caretaker of a child shall not  
13 disclose to another person any information received by the  
14 temporary caretaker from the Department concerning the results  
15 of a test performed on the child to determine the presence of  
16 the antibody or antigen to HIV, or of HIV infection, except  
17 pursuant to Section 9 of the AIDS Confidentiality Act, as now  
18 or hereafter amended. The Department shall promptly initiate  
19 proceedings under the Juvenile Court Act of 1987 for the  
20 continued temporary custody of the child.

21 Where the physician keeping a child in the physician's  
22 custody does so in the physician's capacity as a member of the  
23 staff of a hospital or similar institution, the physician  
24 shall notify the person in charge of the institution or the  
25 designated agent of the person in charge, who shall then  
26 become responsible for the further care of such child in the

1 hospital or similar institution under the direction of the  
2 Department.

3 Said care includes, but is not limited to the granting of  
4 permission to perform emergency medical treatment to a minor  
5 where the treatment itself does not involve a substantial risk  
6 of harm to the minor and the failure to render such treatment  
7 will likely result in death or permanent harm to the minor, and  
8 there is not time to apply for a court order under the Juvenile  
9 Court Act of 1987.

10 Any person authorized and acting in good faith in the  
11 removal of a child under this Section shall have immunity from  
12 any liability, civil or criminal, that might otherwise be  
13 incurred or imposed as a result of such removal. Any physician  
14 authorized and acting in good faith and in accordance with  
15 acceptable medical practice in the treatment of a child under  
16 this Section shall have immunity from any liability, civil or  
17 criminal, that might otherwise be incurred or imposed as a  
18 result of granting permission for emergency treatment.

19 With respect to any child taken into temporary protective  
20 custody pursuant to this Section, the Department of Children  
21 and Family Services Guardianship Administrator or the  
22 Guardianship Administrator's designee shall be deemed the  
23 child's legally authorized representative for purposes of  
24 consenting to an HIV test if deemed necessary and appropriate  
25 by the Department's Guardianship Administrator or the  
26 Guardianship Administrator's designee and obtaining and

1 disclosing information concerning such test pursuant to the  
2 AIDS Confidentiality Act if deemed necessary and appropriate  
3 by the Department's Guardianship Administrator or the  
4 Guardianship Administrator's designee and for purposes of  
5 consenting to the release of information pursuant to the  
6 Illinois Sexually Transmitted Infection Control Act if deemed  
7 necessary and appropriate by the Department's Guardianship  
8 Administrator or designee.

9 Any person who administers an HIV test upon the consent of  
10 the Department of Children and Family Services Guardianship  
11 Administrator or the Guardianship Administrator's designee, or  
12 who discloses the results of such tests to the Department's  
13 Guardianship Administrator or the Guardianship Administrator's  
14 designee, shall have immunity from any liability, civil,  
15 criminal or otherwise, that might result by reason of such  
16 actions. For the purpose of any proceedings, civil or  
17 criminal, the good faith of any persons required to administer  
18 or disclose the results of tests, or permitted to take such  
19 actions, shall be presumed.

20 (Source: P.A. 103-22, eff. 8-8-23; 103-1049, eff. 8-9-24.)

21 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

22 Sec. 7.3. (a) The Department shall be the sole agency  
23 responsible for receiving and investigating reports of child  
24 abuse or neglect made under this Act, including reports of  
25 adult resident abuse or neglect as defined in this Act, except

1 where investigations by other agencies may be required with  
2 respect to reports alleging the abuse or neglect of a child by  
3 a person who is not the child's parent, a member of the child's  
4 immediate family, a person responsible for the child's  
5 welfare, an individual residing in the same home as the child,  
6 or a paramour of the child's parent, the death of a child,  
7 serious injury to a child or sexual abuse to a child made  
8 pursuant to Sections 4.1 or 7 of this Act, and except that the  
9 Department may delegate the performance of the investigation  
10 to the Illinois State Police, a law enforcement agency and to  
11 those private social service agencies which have been  
12 designated for this purpose by the Department prior to July 1,  
13 1980.

14 (b) Notwithstanding any other provision of this Act, the  
15 Department shall adopt rules expressly allowing law  
16 enforcement personnel to investigate reports of suspected  
17 child abuse or neglect concurrently with the Department,  
18 without regard to whether the Department determines a report  
19 to be "indicated" or "unfounded" or deems a report to be  
20 "undetermined".

21 (b-1) It shall be unlawful for any person described in  
22 paragraphs (1), (2), (3), and (10) of subsection (a) of  
23 Section 4 to disclose to the Department or to any law  
24 enforcement agency the results of:

25 (1) any verbal screening questions concerning drug or  
26 alcohol use of a pregnant or postpartum person;

1           (2) any toxicology test administered to a person who  
2           is pregnant or has given birth within the 12 weeks prior to  
3           the administration of the toxicology test; or

4           (3) any toxicology test administered to a newborn.

5           A mandated reporter described in this subsection shall not  
6           disclose a patient or client's confidential information  
7           described under paragraphs (1), (2), or (3) to a law  
8           enforcement agency or to the Department unless a law  
9           enforcement agency has successfully obtained and furnished a  
10           search warrant issued under Section 108-3 of the Code of  
11           Criminal Procedure of 1963.

12           Any person who knowingly and willfully violates any  
13           provision of this Section is guilty of a Class A misdemeanor  
14           for a first violation and a Class 4 felony for a second or  
15           subsequent violation.

16           (c) By June 1, 2016, the Department shall adopt rules that  
17           address and set forth criteria and standards relevant to  
18           investigations of reports of abuse or neglect committed by any  
19           agency, as defined in Section 3 of this Act, or person working  
20           for an agency responsible for the welfare of a child or adult  
21           resident.

22           (Source: P.A. 101-583, eff. 1-1-20; 102-538, eff. 8-20-21.)

23           (325 ILCS 5/4.4 rep.)

24           Section 35. The Abused and Neglected Child Reporting Act  
25           is amended by repealing Section 4.4.

1 Section 40. The Medical Patient Rights Act is amended by  
2 changing Section 3.4 and by adding Section 3.5 as follows:

3 (410 ILCS 50/3.4)

4 Sec. 3.4. Rights of women; pregnancy and childbirth.

5 (a) In addition to any other right provided under this  
6 Act, every woman has the following rights with regard to  
7 pregnancy and childbirth:

8 (1) The right to receive health care before, during,  
9 and after pregnancy and childbirth.

10 (2) The right to receive care for her and her infant  
11 that is consistent with WHO recommendations on newborn  
12 health: guidelines approved by the WHO Guidelines Review  
13 Committee (WHO reference number WHO/MCA/17.07) and WHO  
14 recommendations on maternal health: guidelines approved by  
15 the WHO Guidelines Review Committee (WHO reference number  
16 WHO/MCA/17.10) or the successors to those WHO  
17 recommendations ~~generally accepted medical standards.~~

18 (3) The right to choose a certified nurse midwife,  
19 licensed certified professional midwife, or physician as  
20 her maternity care professional.

21 (4) The right to choose her birth setting from the  
22 full range of birthing options available in her community.

23 (5) The right to leave her maternity care provider  
24 ~~professional~~ and select another if she becomes

1 dissatisfied with her care,~~except as otherwise provided~~  
2 ~~by law.~~

3 (6) The right to receive information about the names  
4 of those health care professionals involved in her care.

5 (7) The right to privacy and confidentiality of  
6 records,~~except as provided by law.~~

7 (8) The right to receive information concerning her  
8 condition and proposed treatment, including methods of  
9 relieving pain.

10 (9) The right to accept or refuse any treatment,~~to~~  
11 ~~the extent medically possible.~~

12 (10) The right to be informed if her caregivers wish  
13 to enroll her or her infant in a research study in  
14 accordance with Section 3.1 of this Act.

15 (11) The right to access her medical records in  
16 accordance with Section 8-2001 of the Code of Civil  
17 Procedure.

18 (12) The right to receive information in a language in  
19 which she can communicate in accordance with federal law.

20 (13) The right to receive emotional and physical  
21 support during labor and birth.

22 (14) The right to freedom of movement during labor and  
23 to give birth in the position of her choice,~~within~~  
24 ~~generally accepted medical standards.~~

25 (15) The right to contact with her newborn,~~except~~  
26 ~~where necessary care must be provided to the mother or~~

1 ~~infant.~~

2 (16) The right to receive information about  
3 breastfeeding.

4 (17) The right to decide ~~collaboratively with~~  
5 ~~caregivers~~ when she and her newborn baby will leave the  
6 birth site for home, based on their conditions and  
7 circumstances.

8 (18) The right to be treated with respect at all times  
9 before, during, and after pregnancy by her and her  
10 newborn's health care professionals.

11 (19) The right of each patient, regardless of source  
12 of payment, to examine and receive a reasonable  
13 explanation of her total bill for services rendered by her  
14 maternity care professional or health care provider,  
15 including itemized charges for specific services received.  
16 Each maternity care professional or health care provider  
17 shall be responsible only for a reasonable explanation of  
18 those specific services provided by the maternity care  
19 professional or health care provider.

20 (b) The Department of Public Health, Department of  
21 Healthcare and Family Services, Department of Children and  
22 Family Services, and Department of Human Services shall post,  
23 either by physical or electronic means, information about  
24 these rights on their publicly available websites. Every  
25 health care provider, day care center licensed under the Child  
26 Care Act of 1969, Head Start, and community center shall post

1 information about these rights in a prominent place and on  
2 their websites, if applicable.

3 (c) The Department of Public Health shall adopt rules to  
4 implement this Section.

5 (d) Nothing in this Section or any rules adopted under  
6 subsection (c) shall be construed to require a physician,  
7 health care professional, hospital, hospital affiliate, or  
8 health care provider to provide care inconsistent with  
9 generally accepted medical standards or available capabilities  
10 or resources.

11 (Source: P.A. 101-445, eff. 1-1-20; 102-4, eff. 4-27-21.)

12 (410 ILCS 50/3.5 new)

13 Sec. 3.5. Disclosure of medical information.

14 (a) Notwithstanding any other provision of law, and except  
15 as otherwise provided under this subsection, a patient has the  
16 right for a physician, health care provider, health services  
17 corporation, or insurance company to administer any of the  
18 following medical tests without disclosing the results of the  
19 test to a State or local law enforcement agency or to the  
20 Department of Children and Family Services:

21 (1) Any verbal screening or questioning concerning the  
22 drug or alcohol use of a pregnant or postpartum person.

23 (2) Any toxicology test administered to a person who  
24 is pregnant or has given birth within the previous 12  
25 weeks.

1           (3) Any toxicology test administered to a newborn.

2           A physician, health care provider, health services  
3 corporation, or insurance company who administers a medical  
4 test described under paragraph (1), (2), or (3) may disclose  
5 the results of the test to a law enforcement agency or to the  
6 Department of Children and Family Services if a law  
7 enforcement agency has successfully obtained and furnished a  
8 search warrant issued under Section 108-3 of the Code of  
9 Criminal Procedure of 1963.

10          (b) A health care provider shall not disclose any private  
11 information regarding a patient's reproductive health care to  
12 any out-of-state law enforcement person or entity unless  
13 disclosure of the information has been authorized pursuant to  
14 a State or federal court order.

15          (c) The rights described under this Section are granted to  
16 any person who is capable of becoming pregnant and who seeks  
17 reproductive health care within the borders of Illinois.

18          (d) Any person who knowingly and willfully violates any  
19 provision of this Section is guilty of a Class A misdemeanor  
20 for a first violation and a Class 4 felony for a second or  
21 subsequent violation.

22          (e) In this Section, "reproductive health care" has the  
23 same meaning as provided in Section 1-10 of the Reproductive  
24 Health Act.

25           Section 45. The Illinois Health and Hazardous Substances

1 Registry Act is amended by changing Section 3 as follows:

2 (410 ILCS 525/3) (from Ch. 111 1/2, par. 6703)

3 Sec. 3. For the purposes of this Act, unless the context  
4 requires otherwise:

5 (a) "Department" means the Illinois Department of Public  
6 Health.

7 (b) "Director" means the Director of the Illinois  
8 Department of Public Health.

9 (c) (Blank).

10 (d) "Registry" means the Illinois Health and Hazardous  
11 Substances Registry established by the Department of Public  
12 Health under Section 6 of this Act.

13 (e) "Cancer" means all malignant neoplasms, regardless of  
14 the tissue of origin, including malignant lymphoma and  
15 leukemia.

16 (f) "Cancer incidence" means a medical diagnosis of  
17 cancer, consisting of a record of cases of cancer and  
18 specified cases of tumorous or precancerous diseases which  
19 occur in Illinois, and such other information concerning these  
20 cases as the Department deems necessary or appropriate in  
21 order to conduct thorough and complete epidemiological surveys  
22 of cancer and cancer-related diseases in Illinois.

23 (g) "Occupational disease" includes but is not limited to  
24 all occupational diseases covered by the Workers' Occupational  
25 Diseases Act.

1 (h) "Hazardous substances" means a hazardous substance as  
2 defined in the Environmental Protection Act.

3 (i) "Hazardous substances incident" includes but is not  
4 limited to a spill, fire, or accident involving hazardous  
5 substances, illegal disposal, transportation, or use of  
6 hazardous substances, and complaints or permit violations  
7 involving hazardous substances.

8 (j) "Company profile" includes but is not limited to the  
9 name of any company operating in the State of Illinois which  
10 generates, uses, disposes of or transports hazardous  
11 substances, identification of the types of permits issued in  
12 such company's name relating to transactions involving  
13 hazardous substances, inventory of hazardous substances  
14 handled by such company, and the manner in which such  
15 hazardous substances are used, disposed of, or transported by  
16 the company.

17 (k) "Hazardous nuclear material" means (1) any source or  
18 special nuclear material intended for use or used as an energy  
19 source in a production or utilization facility as defined in  
20 Sec. 11.v. or 11.cc. of the federal Atomic Energy Act of 1954  
21 as amended; (2) any fuel which has been discharged from such a  
22 facility following irradiation, the constituent elements of  
23 which have not been separated by reprocessing; or (3) any  
24 by-product material resulting from operation of such a  
25 facility.

26 (l) "Adverse pregnancy outcome" includes, but is not

1 limited to, birth defects, spontaneous fetal death after 20  
2 weeks of completed gestation fetal loss, infant mortality, low  
3 birth weight, neonatal abstinence syndrome, newborn affected  
4 by prenatal substance exposure, fetal alcohol spectrum  
5 disorders, selected life-threatening conditions, and other  
6 developmental disabilities as defined by the Department.

7 (m) "News medium" means any newspaper or other periodical  
8 issued at regular intervals, whether in print or electronic  
9 format, and having a general circulation; a news service,  
10 whether in print or electronic format; a radio station, a  
11 television station; a television network; a community antenna  
12 television service; and any person or corporation engaged in  
13 the making of news reels or other motion picture news for  
14 public showing.

15 (n) "Researcher" means an individual who is affiliated  
16 with or supported by universities, academic centers, research  
17 institutions, hospitals, and governmental entities who conduct  
18 scientific research or investigation on human diseases.

19 (o) "Neonatal abstinence syndrome" refers to the  
20 collection of signs and symptoms that occur when a newborn  
21 prenatally exposed to prescribed, diverted, or illicit opiates  
22 experiences opioid withdrawal. This syndrome is primarily  
23 characterized by irritability, tremors, feeding problems,  
24 vomiting, diarrhea, sweating, and in some cases, seizures.

25 (p) "Newborn affected by prenatal substance exposure"  
26 means an infant born and identified as being affected by

1 substance abuse or withdrawal symptoms resulting from prenatal  
2 exposure to controlled substances or a fetal alcohol spectrum  
3 disorder. The healthcare provider involved in the delivery or  
4 care of the newborn determines whether the infant is affected  
5 by prenatal substance exposure or withdrawal symptoms.

6 (Source: P.A. 103-962, eff. 1-1-25.)

7 Section 50. The Vital Records Act is amended by changing  
8 Section 20.5 as follows:

9 (410 ILCS 535/20.5)

10 Sec. 20.5. Certificate of birth resulting in stillbirth.

11 (a) The State Registrar shall prescribe and distribute a  
12 form for a certificate of birth resulting in stillbirth. The  
13 certificate shall be in the same format as a certificate of  
14 live birth prepared under Section 12 and shall be filed in the  
15 same manner as a certificate of live birth.

16 (b) After each fetal death that occurs in this State after  
17 a gestation period of at least 20 completed weeks, or, in cases  
18 where gestational age is uncertain, where the fetus weighs at  
19 least 350 grams, the State Registrar of Vital Records shall,  
20 only upon request by a parent named on the fetal death  
21 certificate, prepare and issue a certificate of birth  
22 resulting in stillbirth.

23 (b-5) A person who files a fetal death certificate as  
24 described under subsection (b) shall notify the gestational

1 parent of the stillborn of that parent's right to request and  
2 receive a certificate of birth resulting in stillbirth under  
3 subsection (b). The Department shall develop language for  
4 notification under this subsection. This language shall be  
5 titled and known as a "Liam's Law notice".

6 (c) If the stillborn's parent or parents do not wish to  
7 provide a name for the stillborn, the person who prepares the  
8 certificate of birth resulting in stillbirth shall leave blank  
9 any references to the stillborn's name.

10 (d) When a stillbirth occurs in this State and the  
11 stillbirth has not been registered within one year after the  
12 delivery, a certificate marked "delayed" may be filed and  
13 registered in accordance with regulations adopted by the State  
14 Registrar. The certificate must show on its face the date of  
15 registration.

16 (e) In the case of a fetal death that occurred in this  
17 State after a gestation period of at least 20 completed weeks  
18 or, in cases where gestational age is uncertain, where the  
19 fetus weighs at least 350 grams, and before the effective date  
20 of this amendatory Act of the 104th General Assembly ~~this~~  
21 ~~amendatory Act of the 103rd General Assembly,~~ a parent of the  
22 stillborn child may request that the person who filed a fetal  
23 death certificate in connection with that death as required  
24 under Section 20 shall also prepare a certificate of birth  
25 resulting in stillbirth with respect to the fetus. If a parent  
26 of a stillborn makes such a request under this subsection (e),

1 the person who filed a fetal death certificate shall prepare  
2 the certificate of birth resulting in stillbirth and file it  
3 with the designated registrar within 30 days after the request  
4 by the parent.

5 (Source: P.A. 103-948, eff. 7-1-25.)

6 Section 55. The Juvenile Court Act of 1987 is amended by  
7 changing Sections 2-3 and 2-18 as follows:

8 (705 ILCS 405/2-3) (from Ch. 37, par. 802-3)

9 Sec. 2-3. Neglected or abused minor.

10 (1) Those who are neglected include any minor under 18  
11 years of age or a minor 18 years of age or older for whom the  
12 court has made a finding of probable cause to believe that the  
13 minor is abused, neglected, or dependent under subsection (1)  
14 of Section 2-10 prior to the minor's 18th birthday:

15 (a) who is not receiving the proper or necessary  
16 support, education as required by law, or medical or other  
17 remedial care recognized under State law as necessary for  
18 a minor's well-being, or other care necessary for the  
19 minor's well-being, including adequate food, clothing, and  
20 shelter, or who is abandoned by the minor's parent or  
21 parents or other person or persons responsible for the  
22 minor's welfare, except that a minor shall not be  
23 considered neglected for the sole reason that the minor's  
24 parent or parents or other person or persons responsible

1 for the minor's welfare have left the minor in the care of  
2 an adult relative for any period of time, who the parent or  
3 parents or other person responsible for the minor's  
4 welfare know is both a mentally capable adult relative and  
5 physically capable adult relative, as defined by this Act;  
6 or

7 (b) whose environment is injurious to the minor's  
8 welfare; or

9 (c) (blank); or ~~who is a newborn infant whose blood,~~  
10 ~~urine, or meconium contains any amount of a controlled~~  
11 ~~substance as defined in subsection (f) of Section 102 of~~  
12 ~~the Illinois Controlled Substances Act or a metabolite of~~  
13 ~~a controlled substance, with the exception of controlled~~  
14 ~~substances or metabolites of such substances, the presence~~  
15 ~~of which in the newborn infant is the result of medical~~  
16 ~~treatment administered to the person who gave birth or the~~  
17 ~~newborn infant; or~~

18 (d) whose parent or other person responsible for the  
19 minor's welfare leaves the minor without supervision for  
20 an unreasonable period of time without regard for the  
21 mental or physical health, safety, or welfare of that  
22 minor. Whether the minor was left without regard for the  
23 mental or physical health, safety, or welfare of that  
24 minor or the period of time was unreasonable shall be  
25 determined by considering factors including, but not  
26 limited to, the following:

- 1 (1) the age of the minor;
- 2 (2) the number of minors left at the location;
- 3 (3) the special needs of the minor, including  
4 whether the minor is a person with a physical or mental  
5 disability or is otherwise in need of ongoing  
6 prescribed medical treatment, such as periodic doses  
7 of insulin or other medications;
- 8 (4) the duration of time in which the minor was  
9 left without supervision;
- 10 (5) the condition and location of the place where  
11 the minor was left without supervision;
- 12 (6) the time of day or night when the minor was  
13 left without supervision;
- 14 (7) the weather conditions, including whether the  
15 minor was left in a location with adequate protection  
16 from the natural elements, such as adequate heat or  
17 light;
- 18 (8) the location of the parent or guardian at the  
19 time the minor was left without supervision and the  
20 physical distance the minor was from the parent or  
21 guardian at the time the minor was without  
22 supervision;
- 23 (9) whether the minor's movement was restricted or  
24 the minor was otherwise locked within a room or other  
25 structure;
- 26 (10) whether the minor was given a phone number of

1 a person or location to call in the event of an  
2 emergency and whether the minor was capable of making  
3 an emergency call;

4 (11) whether there was food and other provision  
5 left for the minor;

6 (12) whether any of the conduct is attributable to  
7 economic hardship or illness and the parent, guardian,  
8 or other person having physical custody or control of  
9 the child made a good faith effort to provide for the  
10 health and safety of the minor;

11 (13) the age and physical and mental capabilities  
12 of the person or persons who provided supervision for  
13 the minor;

14 (14) whether the minor was left under the  
15 supervision of another person;

16 (15) any other factor that would endanger the  
17 health and safety of that particular minor; or

18 (e) who has been provided with interim crisis  
19 intervention services under Section 3-5 of this Act and  
20 whose parent, guardian, or custodian refuses to permit the  
21 minor to return home unless the minor is an immediate  
22 physical danger to the minor or others living in the home.

23 A minor shall not be considered neglected for the sole  
24 reason that the minor has been relinquished in accordance with  
25 the Abandoned Newborn Infant Protection Act.

26 (1.5) A minor shall not be considered neglected for the

1 sole reason that the minor's parent or other person  
2 responsible for the minor's welfare permits the minor to  
3 engage in independent activities unless the minor was  
4 permitted to engage in independent activities under  
5 circumstances presenting unreasonable risk of harm to the  
6 minor's mental or physical health, safety, or well-being.

7 "Independent activities" includes, but is not limited to:

8 (a) traveling to and from school, including by  
9 walking, running, or bicycling;

10 (b) traveling to and from nearby commercial or  
11 recreational facilities;

12 (c) engaging in outdoor play;

13 (d) remaining in a vehicle unattended, except as  
14 otherwise provided by law;

15 (e) remaining at home or at a similarly appropriate  
16 location unattended; or

17 (f) engaging in a similar independent activity alone  
18 or with other children.

19 In determining whether an independent activity presented  
20 unreasonable risk of harm, the court shall consider:

21 (1) whether the activity is accepted as suitable for  
22 minors of the same age, maturity level, and developmental  
23 capacity as the involved minor;

24 (2) the factors listed in items (1) through (15) of  
25 paragraph (d) of subsection (1); and

26 (3) any other factor the court deems relevant.

1           (2) Those who are abused include any minor under 18 years  
2 of age or a minor 18 years of age or older for whom the court  
3 has made a finding of probable cause to believe that the minor  
4 is abused, neglected, or dependent under subsection (1) of  
5 Section 2-10 prior to the minor's 18th birthday whose parent  
6 or immediate family member, or any person responsible for the  
7 minor's welfare, or any person who is in the same family or  
8 household as the minor, or any individual residing in the same  
9 home as the minor, or a paramour of the minor's parent:

10           (i) inflicts, causes to be inflicted, or allows to be  
11 inflicted upon such minor physical injury, by other than  
12 accidental means, which causes death, disfigurement,  
13 impairment of physical or emotional health, or loss or  
14 impairment of any bodily function;

15           (ii) creates a substantial risk of physical injury to  
16 such minor by other than accidental means which would be  
17 likely to cause death, disfigurement, impairment of  
18 emotional health, or loss or impairment of any bodily  
19 function;

20           (iii) commits or allows to be committed any sex  
21 offense against such minor, as such sex offenses are  
22 defined in the Criminal Code of 1961 or the Criminal Code  
23 of 2012, or in the Wrongs to Children Act, and extending  
24 those definitions of sex offenses to include minors under  
25 18 years of age;

26           (iv) commits or allows to be committed an act or acts

1 of torture upon such minor;

2 (v) inflicts excessive corporal punishment;

3 (vi) commits or allows to be committed the offense of  
4 involuntary servitude, involuntary sexual servitude of a  
5 minor, or trafficking in persons as defined in Section  
6 10-9 of the Criminal Code of 1961 or the Criminal Code of  
7 2012, upon such minor; or

8 (vii) allows, encourages, or requires a minor to  
9 commit any act of prostitution, as defined in the Criminal  
10 Code of 1961 or the Criminal Code of 2012, and extending  
11 those definitions to include minors under 18 years of age.

12 A minor shall not be considered abused for the sole reason  
13 that the minor has been relinquished in accordance with the  
14 Abandoned Newborn Infant Protection Act.

15 (3) This Section does not apply to a minor who would be  
16 included herein solely for the purpose of qualifying for  
17 financial assistance for the minor or the minor's parents,  
18 guardian, or custodian.

19 (4) The changes made by Public Act 101-79 apply to a case  
20 that is pending on or after July 12, 2019 (the effective date  
21 of Public Act 101-79).

22 (Source: P.A. 103-22, eff. 8-8-23; 103-233, eff. 6-30-23;  
23 103-605, eff. 7-1-24.)

24 (705 ILCS 405/2-18) (from Ch. 37, par. 802-18)

25 Sec. 2-18. Evidence.

1           (1) At the adjudicatory hearing, the court shall first  
2 consider only the question whether the minor is abused,  
3 neglected or dependent. The standard of proof and the rules of  
4 evidence in the nature of civil proceedings in this State are  
5 applicable to proceedings under this Article. If the petition  
6 also seeks the appointment of a guardian of the person with  
7 power to consent to adoption of the minor under Section 2-29,  
8 the court may also consider legally admissible evidence at the  
9 adjudicatory hearing that one or more grounds of unfitness  
10 exists under subdivision D of Section 1 of the Adoption Act.

11           (2) In any hearing under this Act, the following shall  
12 constitute prima facie evidence of abuse or neglect, as the  
13 case may be:

14           (a) proof that a minor has a medical diagnosis of  
15 battered-child ~~battered-child~~ syndrome is prima facie  
16 evidence of abuse;

17           (b) (blank); ~~proof that a minor has a medical~~  
18 ~~diagnosis of failure to thrive syndrome is prima facie~~  
19 ~~evidence of neglect;~~

20           (c) (blank); ~~proof that a minor has a medical~~  
21 ~~diagnosis of fetal alcohol syndrome is prima facie~~  
22 ~~evidence of neglect;~~

23           (d) (blank); ~~proof that a minor has a medical~~  
24 ~~diagnosis at birth of withdrawal symptoms from narcotics~~  
25 ~~or barbiturates is prima facie evidence of neglect;~~

26           (e) proof of injuries sustained by a minor or of the

1 condition of a minor of such a nature as would ordinarily  
2 not be sustained or exist except by reason of the acts or  
3 omissions of the parent, custodian or guardian of such  
4 minor shall be prima facie evidence of abuse or neglect,  
5 as the case may be;

6 (f) proof that a parent, custodian or guardian of a  
7 minor repeatedly used a drug, to the extent that it has or  
8 would ordinarily have the effect of producing in the user  
9 a substantial state of stupor, unconsciousness,  
10 intoxication, hallucination, disorientation or  
11 incompetence, or a substantial impairment of judgment, or  
12 a substantial manifestation of irrationality, shall be  
13 prima facie evidence of neglect;

14 (g) (blank); ~~proof that a parent, custodian, or~~  
15 ~~guardian of a minor repeatedly used a controlled~~  
16 ~~substance, as defined in subsection (f) of Section 102 of~~  
17 ~~the Illinois Controlled Substances Act, in the presence of~~  
18 ~~the minor or a sibling of the minor is prima facie evidence~~  
19 ~~of neglect. "Repeated use", for the purpose of this~~  
20 ~~subsection, means more than one use of a controlled~~  
21 ~~substance as defined in subsection (f) of Section 102 of~~  
22 ~~the Illinois Controlled Substances Act;~~

23 (h) (blank); ~~proof that a newborn infant's blood,~~  
24 ~~urine, or meconium contains any amount of a controlled~~  
25 ~~substance as defined in subsection (f) of Section 102 of~~  
26 ~~the Illinois Controlled Substances Act, or a metabolite of~~

1 ~~a controlled substance, with the exception of controlled~~  
2 ~~substances or metabolites of those substances, the~~  
3 ~~presence of which is the result of medical treatment~~  
4 ~~administered to the mother or the newborn, is prime facie~~  
5 ~~evidence of neglect;~~

6 (i) proof that a minor was present in a structure or  
7 vehicle in which the minor's parent, custodian, or  
8 guardian was involved in the manufacture of  
9 methamphetamine constitutes prima facie evidence of abuse  
10 and neglect;

11 (j) proof that a parent, custodian, or guardian of a  
12 minor allows, encourages, or requires a minor to perform,  
13 offer, or agree to perform any act of sexual penetration  
14 as defined in Section 11-0.1 of the Criminal Code of 2012  
15 for any money, property, token, object, or article or  
16 anything of value, or any touching or fondling of the sex  
17 organs of one person by another person, for any money,  
18 property, token, object, or article or anything of value,  
19 for the purpose of sexual arousal or gratification,  
20 constitutes prima facie evidence of abuse and neglect;

21 (k) proof that a parent, custodian, or guardian of a  
22 minor commits or allows to be committed the offense of  
23 involuntary servitude, involuntary sexual servitude of a  
24 minor, or trafficking in persons as defined in Section  
25 10-9 of the Criminal Code of 1961 or the Criminal Code of  
26 2012, upon such minor, constitutes prima facie evidence of

1 abuse and neglect.

2 (3) In any hearing under this Act, proof of the abuse,  
3 neglect or dependency of one minor shall be admissible  
4 evidence on the issue of the abuse, neglect or dependency of  
5 any other minor for whom the respondent is responsible.

6 (4) (a) Any writing, record, photograph or x-ray of any  
7 hospital or public or private agency, whether in the form of an  
8 entry in a book or otherwise, made as a memorandum or record of  
9 any condition, act, transaction, occurrence or event relating  
10 to a minor in an abuse, neglect or dependency proceeding,  
11 shall be admissible in evidence as proof of that condition,  
12 act, transaction, occurrence or event, if the court finds that  
13 the document was made in the regular course of the business of  
14 the hospital or agency at the time of the act, transaction,  
15 occurrence or event, or within a reasonable time thereafter. A  
16 certification by the head or responsible employee or agent of  
17 the hospital or agency having knowledge of the creation and  
18 maintenance of or of the matters stated in the writing,  
19 record, photograph or x-ray attesting that the document is the  
20 full and complete record of the condition, act, transaction,  
21 occurrence or event and that it satisfies the conditions of  
22 this paragraph shall be prima facie evidence of the facts  
23 contained in such certification. All other circumstances of  
24 the making of the memorandum, record, photograph or x-ray,  
25 including lack of personal knowledge of the maker, may be  
26 proved to affect the weight to be accorded such evidence, but

1 shall not affect its admissibility.

2 (b) Any indicated report filed pursuant to the Abused and  
3 Neglected Child Reporting Act shall be admissible in evidence.

4 (c) Previous statements made by the minor relating to any  
5 allegations of abuse or neglect shall be admissible in  
6 evidence. However, no such statement, if uncorroborated and  
7 not subject to cross-examination, shall be sufficient in  
8 itself to support a finding of abuse or neglect.

9 (d) There shall be a rebuttable presumption that a minor  
10 is competent to testify in abuse or neglect proceedings. The  
11 court shall determine how much weight to give to the minor's  
12 testimony, and may allow the minor to testify in chambers with  
13 only the court, the court reporter and attorneys for the  
14 parties present.

15 (e) The privileged character of communication between any  
16 professional person and patient or client, except privilege  
17 between attorney and client, shall not apply to proceedings  
18 subject to this Article.

19 (f) Proof of the impairment of emotional health or  
20 impairment of mental or emotional condition as a result of the  
21 failure of the respondent to exercise a minimum degree of care  
22 toward a minor may include competent opinion or expert  
23 testimony, and may include proof that such impairment lessened  
24 during a period when the minor was in the care, custody or  
25 supervision of a person or agency other than the respondent.

26 (5) In any hearing under this Act alleging neglect for

1 failure to provide education as required by law under  
2 subsection (1) of Section 2-3, proof that a minor under 13  
3 years of age who is subject to compulsory school attendance  
4 under the School Code is a chronic truant as defined under the  
5 School Code shall be prima facie evidence of neglect by the  
6 parent or guardian in any hearing under this Act and proof that  
7 a minor who is 13 years of age or older who is subject to  
8 compulsory school attendance under the School Code is a  
9 chronic truant shall raise a rebuttable presumption of neglect  
10 by the parent or guardian. This subsection (5) shall not apply  
11 in counties with 2,000,000 or more inhabitants.

12 (6) In any hearing under this Act, the court may take  
13 judicial notice of prior sworn testimony or evidence admitted  
14 in prior proceedings involving the same minor if (a) the  
15 parties were either represented by counsel at such prior  
16 proceedings or the right to counsel was knowingly waived and  
17 (b) the taking of judicial notice would not result in  
18 admitting hearsay evidence at a hearing where it would  
19 otherwise be prohibited.

20 (Source: P.A. 103-124, eff. 1-1-24.)

1	INDEX	
2	Statutes amended in order of appearance	
3	20 ILCS 301/35-15 new	
4	110 ILCS 932/10	
5	210 ILCS 85/11.11 new	
6	210 ILCS 170/5	
7	210 ILCS 170/65 new	
8	225 ILCS 64/85	
9	325 ILCS 5/3	from Ch. 23, par. 2053
10	325 ILCS 5/3.5 new	
11	325 ILCS 5/5	from Ch. 23, par. 2055
12	325 ILCS 5/7.3	from Ch. 23, par. 2057.3
13	325 ILCS 5/4.4 rep.	
14	410 ILCS 50/3.4	
15	410 ILCS 50/3.5 new	
16	410 ILCS 525/3	from Ch. 111 1/2, par. 6703
17	410 ILCS 535/20.5	
18	705 ILCS 405/2-3	from Ch. 37, par. 802-3
19	705 ILCS 405/2-18	from Ch. 37, par. 802-18