

SB4197



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4197

Introduced 5/6/2026, by Sen. Mike Porfirio

SYNOPSIS AS INTRODUCED:

720 ILCS 570/316.1

Amends the Illinois Controlled Substances Act concerning the Prescription Monitoring Program. Provides that interstate data sharing agreements shall be mutual. Provides that the Department of Human Services shall only share data if the reciprocal state provides equal access to data of the reciprocating state to all authorized users, licensed health care entities, and application vendors regardless of their method of connection to the Prescription Monitoring Program for interstate data sharing. Effective immediately.

LRB104 21696 RLC 37285 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Illinois Controlled Substances Act is
5 amended by changing Section 316.1 as follows:

6 (720 ILCS 570/316.1)

7 Sec. 316.1. Access to the integration of pharmacy records
8 with the Prescription Monitoring Program.

9 (a) Subject to the requirements and limitations set out in
10 this Section and in administrative rule, the Department shall
11 not require, either expressly or effectively, Electronic
12 Health Records Systems, pharmacies, or other providers to
13 utilize a particular entity or system for access to the
14 integration of pharmacy records with the Prescription
15 Monitoring Program.

16 (1) Any entity or system for integration (transmitting
17 the data maintained by the Prescription Monitoring
18 Program) into an Electronic Health Records System,
19 Certified Health IT Module, Pharmacy Dispensing System, or
20 Pharmacy Management System must meet applicable
21 requirements outlined in administrative rule, including,
22 but not limited to, the following:

23 (A) enter into a data sharing agreement with the

1 Department of Human Services, Prescription Monitoring
2 Program;

3 (B) all security requirements noted within this
4 Section, administrative rule, and all other applicable
5 State and federal security and privacy requirements;

6 (C) the Prescription Monitoring Program shall have
7 administrative control over the approval of each site
8 and individual integration point and the Prescription
9 Monitoring Program shall have the ability to disable
10 individual integration points, at no additional cost
11 to the State;

12 (D) interstate data sharing shall be completed
13 with written authorization from the Prescription
14 Monitoring Program;

15 (E) data available from the Prescription
16 Monitoring Program shall not be stored, cached, or
17 sold and the State may inspect and review an entity or
18 system for integration to assure and confirm the same,
19 subject to a reasonable non-disclosure agreement, as
20 permitted by State law, to protect the entity's or
21 system's trade secrets or other proprietary
22 information;

23 (F) analysis of data shall only be allowed with
24 express written permission from the Prescription
25 Monitoring Program; and

26 (G) access to audit data, shall be available in

1 hourly to real-time increments at no cost to the
2 State.

3 (2) Electronic Health Record Systems, Certified Health
4 IT Modules, Pharmacy Management Systems, and Pharmacy
5 Dispensing Systems integrated with the Prescription
6 Monitoring Program must meet applicable requirements
7 outlined in rule, including, but not limited to, the
8 following:

9 (A) provide their customers (healthcare entity,
10 pharmacy, provider, prescriber, dispenser, etc.) the
11 choice of approved integration vendor, meeting the
12 requirements of this Section and administrative rule,
13 or direct connect to the Illinois Prescription
14 Monitoring Program;

15 (B) provide their customers with access to the
16 data provided by the customer's chosen integration
17 vendor as allowed under State and federal statute; and

18 (C) follow all State and federal security and
19 privacy standards.

20 (3) Customers required to integrate under State or
21 federal law must meet the requirements outlined in
22 administrative rule, including, but not limited to, the
23 following:

24 (A) the customer retains the choice of which
25 integration vendor or direct connect is utilized to
26 connect to the Illinois Prescription Monitoring

1 Program; and

2 (B) customers seeking to contract with a new
3 integration vendor, shall enter into a memorandum of
4 understanding with the Prescription Monitoring
5 Program.

6 (b) The Illinois Prescription Monitoring Program may
7 exercise the power, by rule, to require Memoranda of
8 Understanding with all customers. The general contents of the
9 memorandum of understanding shall be set out in rule and shall
10 include, but not be limited to:

11 (1) the acknowledgment and choice of the customer of
12 the method of integration with the Prescription Monitoring
13 Program and

14 (2) the data use and other requirements on the
15 customer in accessing and using the Prescription
16 Monitoring Program.

17 A fee cannot be levied as part of a memorandum of
18 understanding required by the Department under this Section.

19 (c) Non-compliance by the Integration Vendor, Electronic
20 Health Record System, Certified Health IT Module, Pharmacy
21 Management System or Pharmacy Dispensing System, customer, or
22 any parties required to comply with this Section may result in
23 the party being prohibited from serving as entity or system
24 for integration with the Prescription Monitoring Program,
25 termination of contracts, agreements, or other business
26 relationships. The Department shall institute appropriate cure

1 notices, as necessary to remedy non-compliance.

2 (d) Interstate data sharing agreements shall be mutual.
3 The Department shall only share data if the reciprocal state
4 provides equal access to data of the reciprocating state to
5 all authorized users, licensed health care entities, and
6 application vendors regardless of their method of connection
7 to the Prescription Monitoring Program for interstate data
8 sharing.

9 (Source: P.A. 103-477, eff. 7-1-24.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.