



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0342

by Rep. Darren Bailey

SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-578 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health to create and maintain a list of each immunizing agent derived from aborted fetal tissue and any alternative immunizing agents. Provides that the Department shall ensure that, before administering an immunizing agent derived from aborted fetal tissue to an individual, a health care provider shall provide to the individual or, if the individual is a child, to the parent, guardian, or person in loco parentis of the child: (1) notification that the immunizing agent was derived from aborted fetal tissue; (2) if an immunizing agent that is not an immunizing agent derived from aborted fetal tissue is available as an alternative to an immunizing agent derived from aborted fetal tissue, an offer of the alternative; and (3) notification of the option to decline the receipt of the immunizing agent. Effective immediately.

LRB101 04865 CPF 49874 b

FISCAL NOTE ACT
MAY APPLY

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 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-578 as follows:

7 (20 ILCS 2310/2310-578 new)

8 Sec. 2310-578. Immunizing agents derived from aborted
9 fetal tissue.

10 (a) As used in this Section:

11 (1) "Health care provider" means any physician,
12 advanced practice registered nurse, physician assistant,
13 hospital facility, or other person that is licensed or
14 otherwise authorized to deliver health care services.

15 (2) "Immunizing agent derived from aborted fetal
16 tissue" means an immunizing agent that is manufactured
17 using a human fetal or embryonic cell line, protein,
18 deoxyribonucleic acid, recombinant deoxyribonucleic acid,
19 monoclonal antibody, or any other component derived from an
20 elective abortion or using a cell line derived from the
21 tissue of a fetus that was electively aborted.

22 (b) The Department shall create and maintain a list of each
23 immunizing agent derived from aborted fetal tissue. If an

1 immunizing agent that is not an immunizing agent derived from
2 aborted fetal tissue is available as an alternative to an
3 immunizing agent derived from aborted fetal tissue, the
4 Department shall include the alternative on the list. The
5 Department shall update the list annually and make the list
6 available to the public on the Department's website.

7 (c) The Department shall ensure that, beginning January 1,
8 2020, before administering an immunizing agent derived from
9 aborted fetal tissue to an individual, a health care provider
10 shall notify the individual or, if the individual is a child,
11 the parent, guardian, or person in loco parentis of the child
12 that the immunizing agent was derived from aborted fetal
13 tissue. If an immunizing agent that is not an immunizing agent
14 derived from aborted fetal tissue is available as an
15 alternative to an immunizing agent derived from aborted fetal
16 tissue, the health care provider shall offer the alternative to
17 the individual or, if the individual is a child, to the parent,
18 guardian, or person in loco parentis of the child. A health
19 care provider shall also notify the individual or, if the
20 individual is a child, the parent, guardian, or person in loco
21 parentis of the child of the option to decline the receipt of
22 the immunizing agent.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.