



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB1002

Introduced 1/12/2023, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

110 ILCS 330/8h new  
210 ILCS 85/6.34 new  
410 ILCS 50/3.5 new

Amends the University of Illinois Hospital Act and the Hospital Licensing Act. Provides that before using any diagnostic algorithm to diagnose a patient, a hospital must first confirm that the diagnostic algorithm has been certified by the Department of Public Health and the Department of Innovation and Technology, has been shown to achieve as or more accurate diagnostic results than other diagnostic means, and is not the only method of diagnosis available to a patient. Amends the Medical Patient Rights Act. Provides that a patient has the right to be told when a diagnostic algorithm will be used to diagnose him or her. Provides that before a diagnostic algorithm is used to diagnose a patient, the patient must first be presented with the option of being diagnosed without the diagnostic algorithm and consent to the diagnostic algorithm's use.

LRB103 04881 CPF 49891 b

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 University of Illinois Hospital Act is  
5 amended by adding Section 8h as follows:

6 (110 ILCS 330/8h new)

7 Sec. 8h. Diagnostic algorithm. Before using any  
8 diagnostic algorithm to diagnose a patient, the University of  
9 Illinois Hospital must first confirm all of the following:

10 (1) The diagnostic algorithm has been certified by the  
11 Department of Public Health and the Department of  
12 Innovation and Technology.

13 (2) The diagnostic algorithm has been shown to achieve  
14 as or more accurate diagnostic results than other  
15 diagnostic means.

16 (3) The diagnostic algorithm is not the only method of  
17 diagnosis available to a patient.

18 Section 10. The Hospital Licensing Act is amended by  
19 adding Section 6.34 as follows:

20 (210 ILCS 85/6.34 new)

21 Sec. 6.34. Diagnostic algorithm. Before using any

1 diagnostic algorithm to diagnose a patient, a hospital  
2 licensed under this Act must first confirm all of the  
3 following:

4 (1) The diagnostic algorithm has been certified by the  
5 Department of Public Health and the Department of  
6 Innovation and Technology.

7 (2) The diagnostic algorithm has been shown to achieve  
8 as or more accurate diagnostic results than other  
9 diagnostic means.

10 (3) The diagnostic algorithm is not the only method of  
11 diagnosis available to a patient.

12 Section 15. The Medical Patient Rights Act is amended by  
13 adding Section 3.5 as follows:

14 (410 ILCS 50/3.5 new)

15 Sec. 3.5. Diagnostic algorithm. A patient has the right to  
16 be told when a diagnostic algorithm will be used to diagnose  
17 him or her. Before a diagnostic algorithm is used to diagnose a  
18 patient, the patient must first:

19 (1) be presented with the option of being diagnosed  
20 without the diagnostic algorithm; and

21 (2) consent to the diagnostic algorithm's use.