

1 AMENDMENT TO SENATE BILL 1156

2 AMENDMENT NO. _____. Amend Senate Bill 1156 on page 1,
3 line 5, by replacing "5" with "3, 5,"; and
4 on page 1, after line 5, by inserting the following:

5 "(410 ILCS 305/3) (from Ch. 111 1/2, par. 7303)

6 Sec. 3. When used in this Act:

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

9 (b) "AIDS" means acquired immunodeficiency syndrome.

10 (c) "HIV" means the Human Immunodeficiency Virus or any
11 other identified causative agent of AIDS.

12 (d) "Written informed consent" means an agreement in
13 writing executed by the subject of a test or the subject's
14 legally authorized representative without undue inducement or
15 any element of force, fraud, deceit, duress or other form of
16 constraint or coercion, which entails at least the following:

17 (1) a fair explanation of the test, including its
18 purpose, potential uses, limitations and the meaning of its
19 results; and

20 (2) a fair explanation of the procedures to be followed,
21 including the voluntary nature of the test, the right to
22 withdraw consent to the testing process at any time, the

1 right to anonymity to the extent provided by law with respect
2 to participation in the test and disclosure of test results,
3 and the right to confidential treatment of information
4 identifying the subject of the test and the results of the
5 test, to the extent provided by law.

6 (e) "Health facility" means a hospital, nursing home,
7 blood bank, blood center, sperm bank, or other health care
8 institution, including any "health facility" as that term is
9 defined in the Illinois Health Facilities Authority Act.

10 (f) "Health care provider" means any health care
11 professional physician, nurse, paramedic, psychologist or
12 other person providing medical, nursing, psychological, or
13 other health care services of any kind.

14 (f-5) "Health care professional" means (i) a licensed
15 physician, (ii) a physician assistant to whom the physician
16 assistant's supervising physician has delegated the provision
17 of AIDS and HIV-related health services, (iii) an advanced
18 practice registered nurse who has a written collaborative
19 agreement with a collaborating physician which authorizes the
20 provision of AIDS and HIV-related health services, (iv) a
21 licensed dentist, (v) a licensed podiatrist, or (vi) an
22 individual certified to provide HIV testing and counseling by
23 a state or local public health department.

24 (g) "Test" or "HIV test" means a test to determine the
25 presence of the antibody or antigen to HIV, or of HIV
26 infection.

27 (h) "Person" includes any natural person, partnership,
28 association, joint venture, trust, governmental entity,
29 public or private corporation, health facility or other legal
30 entity.

31 (Source: P.A. 85-677; 85-679.); and

32 on page 1, line 7, by replacing "provider" with
33 "professional"; and

1 on page 1, line 18, by replacing "for" with "for ordering and
2 administration of"; and

3 on page 1, line 29, by replacing "guidelines set" with "rules
4 adopted"; and

5 on page 3, line 28, by replacing "guidelines set" with "rules
6 adopted".