

1 AN ACT concerning regulation.

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

4 Section 5. The Hospital Licensing Act is amended by
5 changing Section 4.5 as follows:

6 (210 ILCS 85/4.5)

7 Sec. 4.5. Hospital with multiple locations; single
8 license.

9 (a) A hospital located in a county with fewer than
10 3,000,000 inhabitants may apply to the Department for approval
11 to conduct its operations from more than one location within
12 the county under a single license.

13 (a-5) A hospital located in a county with 3,000,000 or more
14 inhabitants may apply to the Department for approval to conduct
15 its operations from more than one hospital within the county
16 under a single license if the distance between each hospital to
17 be combined under one license is no more than one-half mile and
18 both hospitals were operated by a single health system on
19 January 1, 2008.

20 (b) The facilities or buildings at those locations must be
21 owned or operated together by a single corporation or other
22 legal entity serving as the licensee and must share:

23 (1) a single board of directors with responsibility for

1 governance, including financial oversight and the
2 authority to designate or remove the chief executive
3 officer;

4 (2) a single medical staff accountable to the board of
5 directors and governed by a single set of medical staff
6 bylaws, rules, and regulations with responsibility for the
7 quality of the medical services; and

8 (3) a single chief executive officer, accountable to
9 the board of directors, with management responsibility.

10 (c) Each hospital building or facility that is located on a
11 site geographically separate from the campus or premises of
12 another hospital building or facility operated by the licensee
13 must, at a minimum, individually comply with the Department's
14 hospital licensing requirements for emergency services.

15 (d) The hospital shall submit to the Department a
16 comprehensive plan in relation to the waiver or waivers
17 requested describing the services and operations of each
18 facility or building and how common services or operations will
19 be coordinated between the various locations. With the
20 exception of items required by subsection (c), the Department
21 is authorized to waive compliance with the hospital licensing
22 requirements for specific buildings or facilities, provided
23 that the hospital has documented which other building or
24 facility under its single license provides that service or
25 operation, and that doing so would not endanger the public's
26 health, safety, or welfare. Nothing in this Section relieves a

1 hospital from the requirements of the Health Facilities
2 Planning Act.

3 (e) Notwithstanding any other rulemaking authority that
4 may exist, neither the Governor nor any agency or agency head
5 under the jurisdiction of the Governor has any authority to
6 make or promulgate rules to implement or enforce the provisions
7 of this amendatory Act of the 95th General Assembly. If,
8 however, the Governor believes that rules are necessary to
9 implement or enforce the provisions of this amendatory Act of
10 the 95th General Assembly, the Governor may suggest rules to
11 the General Assembly by filing them with the Clerk of the House
12 and Secretary of the Senate and by requesting that the General
13 Assembly authorize such rulemaking by law, enact those
14 suggested rules into law, or take any other appropriate action
15 in the General Assembly's discretion. Nothing contained in this
16 amendatory Act of the 95th General Assembly shall be
17 interpreted to grant rulemaking authority under any other
18 Illinois statute where such authority is not otherwise
19 explicitly given. For the purposes of this amendatory Act of
20 the 95th General Assembly, "rules" is given the meaning
21 contained in Section 1-70 of the Illinois Administrative
22 Procedure Act, and "agency" and "agency head" are given the
23 meanings contained in Sections 1-20 and 1-25 of the Illinois
24 Administrative Procedure Act to the extent that such
25 definitions apply to agencies or agency heads under the
26 jurisdiction of the Governor.

1 (Source: P.A. 89-171, eff. 7-19-95.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.