

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 1. Short title. This Act may be cited as the
5 Infectious Disease Notification Act.

6 Section 3. Definitions. For the purpose of this Act:

7 "Medical facility" means a hospital licensed under the
8 Hospital Licensing Act or a free standing emergency center
9 under the Emergency Medical Services (EMS) Systems Act.

10 "Physician" means a person licensed under the Medical
11 Practice Act of 1987 to practice medicine in all of its
12 branches.

13 Section 5. Notification of designated officer.

14 (a) If a victim of an emergency is transported by emergency
15 response employees to a medical facility and the medical
16 facility makes a determination that the victim has an airborne
17 infectious disease or any other communicable disease that in
18 the judgment of a physician could have resulted in the
19 transmission of that disease to an emergency response employee,
20 then the medical facility shall notify the designated officer
21 of the emergency response employees who transported the victim
22 to the medical facility of the determination.

1 (b) If a victim of an emergency is transported by emergency
2 response employees to a medical facility and the victim dies at
3 or before reaching the medical facility, the medical facility
4 ascertaining the cause of death shall notify the designated
5 officer of the emergency response employees who transported the
6 victim to the initial medical facility of any determination by
7 the medical facility that the victim had an airborne infectious
8 disease or communicable disease that in the judgment of a
9 physician could have resulted in the transmission of that
10 disease to an emergency response employee.

11 Section 10. Requests for notification.

12 (a) If an emergency response employee believes that the
13 employee may have been exposed to an infectious disease by a
14 victim of an emergency who was transported to a medical
15 facility as a result of the emergency and if the employee
16 attended, treated, assisted, or transported the victim
17 pursuant to the emergency, then the designated officer of the
18 employee shall, upon the request of the employee, carry out the
19 duties described in subsection (b) of this Section concerning a
20 determination of whether the employee may have been exposed to
21 an infectious disease by the victim.

22 (b) The duties concerning a determination of whether the
23 employee may have been exposed to an infectious disease by the
24 victim are as follows:

25 (1) the designated officer involved shall collect the

1 facts relating to the circumstances under which, for
2 purposes of subsection (a) of this Section, the employee
3 involved may have been exposed to an infectious disease;
4 and

5 (2) the designated officer shall evaluate the facts and
6 make a determination of whether, if the victim involved had
7 any known infectious disease, the employee would have been
8 exposed to the disease under such facts.

9 (c) If a designated officer makes a determination under
10 item (2) of subsection (b) of this Section that an emergency
11 response employee may have been exposed to an infectious
12 disease, the designated officer shall submit to the medical
13 facility to which the victim involved was transported a request
14 for a response under subsection (d) of this Section concerning
15 the victim of the emergency involved. The request shall be in
16 writing and be signed by the designated officer involved, and
17 shall contain a statement of the facts collected pursuant to
18 item (1) of subsection (b).

19 (d) The procedures concerning an evaluation of and response
20 to a request to a medical facility pursuant to this Act are as
21 follows:

22 (1) If a medical facility receives a request under
23 subsection (c) of this Section, then the medical facility
24 shall evaluate the facts submitted in the request and make
25 a determination of whether, on the basis of the medical
26 information possessed by the facility regarding the victim

1 involved and in the professional judgment of a physician,
2 the emergency response employee was exposed to a known
3 infectious disease and the exposure was of a type that
4 could have resulted in transmission of the infectious
5 disease to the emergency response employee.

6 (2) If a medical facility makes a determination under
7 item (1) of this subsection (d) that the emergency response
8 employee involved has been exposed to an infectious disease
9 and the exposure was of a type that in the judgment of a
10 physician could have resulted in the transmission of the
11 infectious disease to the emergency response employee,
12 then the medical facility shall, in writing, notify the
13 designated officer who submitted the request of the
14 determination. No personally identifiable health
15 information may be released to the designated officer other
16 than notification of the exposure to the infectious
17 disease.

18 (3) If a medical facility makes a determination under
19 item (1) of this subsection (d) that the emergency response
20 employee involved has not been exposed to an infectious
21 disease, or that the exposure was not of a type that in the
22 judgment of a physician would have resulted in transmission
23 of the infectious disease to the employee, then the medical
24 facility shall, in writing, inform the designated officer
25 who submitted the request of the determination.

1 Section 15. Rules. The Department of Public Health shall
2 adopt rules that it deems necessary for the efficient
3 administration of this Act.

4 Section 20. Relationship to other Acts. To the extent that
5 the provisions of this Act conflict with any provision of the
6 AIDS Confidentiality Act, the provisions of the AIDS
7 Confidentiality Act shall control.