



Rep. Linda Chapa LaVia

Filed: 5/28/2009

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LRB096 03661 DRJ 27685 a

1 AMENDMENT TO SENATE BILL 321

2 AMENDMENT NO. _____. Amend Senate Bill 321, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Emergency Medical Services (EMS) Systems
6 Act is amended by changing Section 32.5 as follows:

7 (210 ILCS 50/32.5)

8 Sec. 32.5. Freestanding Emergency Center.

9 (a) The ~~Until June 30, 2009, the~~ Department shall issue an
10 annual Freestanding Emergency Center (FEC) license to any
11 facility that is located in a county that does not have a
12 licensed general acute care hospital and whose application for
13 a permit from the Illinois Health Facilities Planning Board has
14 been deemed complete by the Department of Public Health by
15 March 1, 2009 and:

16 (1) is located: (A) in a municipality with a population

1 of 75,000 or fewer inhabitants; (B) within 20 miles of the
2 hospital that owns or controls the FEC; and (C) within 20
3 miles of the Resource Hospital affiliated with the FEC as
4 part of the EMS System;

5 (2) is wholly owned or controlled by an Associate or
6 Resource Hospital, but is not a part of the hospital's
7 physical plant;

8 (3) meets the standards for licensed FECs, adopted by
9 rule of the Department, including, but not limited to:

10 (A) facility design, specification, operation, and
11 maintenance standards;

12 (B) equipment standards; and

13 (C) the number and qualifications of emergency
14 medical personnel and other staff, which must include
15 at least one board certified emergency physician
16 present at the FEC 24 hours per day.

17 (4) limits its participation in the EMS System strictly
18 to receiving a limited number of BLS runs by emergency
19 medical vehicles according to protocols developed by the
20 Resource Hospital within the FEC's designated EMS System
21 and approved by the Project Medical Director and the
22 Department;

23 (5) provides comprehensive emergency treatment
24 services, as defined in the rules adopted by the Department
25 pursuant to the Hospital Licensing Act, 24 hours per day,
26 on an outpatient basis;

1 (6) provides an ambulance and maintains on site
2 ambulance services staffed with paramedics 24 hours per
3 day;

4 (7) maintains helicopter landing capabilities approved
5 by appropriate State and federal authorities;

6 (8) complies with all State and federal patient rights
7 provisions, including, but not limited to, the Emergency
8 Medical Treatment Act and the federal Emergency Medical
9 Treatment and Active Labor Act;

10 (9) maintains a communications system that is fully
11 integrated with its Resource Hospital within the FEC's
12 designated EMS System;

13 (10) reports to the Department any patient transfers
14 from the FEC to a hospital within 48 hours of the transfer
15 plus any other data determined to be relevant by the
16 Department;

17 (11) submits to the Department, on a quarterly basis,
18 the FEC's morbidity and mortality rates for patients
19 treated at the FEC and other data determined to be relevant
20 by the Department;

21 (12) does not describe itself or hold itself out to the
22 general public as a full service hospital or hospital
23 emergency department in its advertising or marketing
24 activities;

25 (13) complies with any other rules adopted by the
26 Department under this Act that relate to FECs;

1 (14) passes the Department's site inspection for
2 compliance with the FEC requirements of this Act;

3 (15) submits a copy of the permit issued by the
4 Illinois Health Facilities Planning Board indicating that
5 the facility has complied with the Illinois Health
6 Facilities Planning Act with respect to the health services
7 to be provided at the facility;

8 (16) submits an application for designation as an FEC
9 in a manner and form prescribed by the Department by rule;
10 and

11 (17) pays the annual license fee as determined by the
12 Department by rule.

13 (b) The Department shall:

14 (1) annually inspect facilities of initial FEC
15 applicants and licensed FECs, and issue annual licenses to
16 or annually relicense FECs that satisfy the Department's
17 licensure requirements as set forth in subsection (a);

18 (2) suspend, revoke, refuse to issue, or refuse to
19 renew the license of any FEC, after notice and an
20 opportunity for a hearing, when the Department finds that
21 the FEC has failed to comply with the standards and
22 requirements of the Act or rules adopted by the Department
23 under the Act;

24 (3) issue an Emergency Suspension Order for any FEC
25 when the Director or his or her designee has determined
26 that the continued operation of the FEC poses an immediate

1 and serious danger to the public health, safety, and
2 welfare. An opportunity for a hearing shall be promptly
3 initiated after an Emergency Suspension Order has been
4 issued; and

5 (4) adopt rules as needed to implement this Section.

6 (Source: P.A. 95-584, eff. 8-31-07.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".