



Rep. Linda Chapa LaVia

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LRB096 03661 DRJ 27722 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) Until June 30, 2009, the Department shall issue an
10 annual Freestanding Emergency Center (FEC) license to any
11 facility that:

12 (1) is located: (A) in a municipality with a population
13 of 75,000 or fewer inhabitants; (B) within 20 miles of the
14 hospital that owns or controls the FEC; and (C) within 20
15 miles of the Resource Hospital affiliated with the FEC as
16 part of the EMS System;

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

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

6 (A) facility design, specification, operation, and
7 maintenance standards;

8 (B) equipment standards; and

9 (C) the number and qualifications of emergency
10 medical personnel and other staff, which must include
11 at least one board certified emergency physician
12 present at the FEC 24 hours per day.

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

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

23 (6) provides an ambulance and maintains on site
24 ambulance services staffed with paramedics 24 hours per
25 day;

26 (7) maintains helicopter landing capabilities approved

1 by appropriate State and federal authorities;

2 (8) complies with all State and federal patient rights
3 provisions, including, but not limited to, the Emergency
4 Medical Treatment Act and the federal Emergency Medical
5 Treatment and Active Labor Act;

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

9 (10) reports to the Department any patient transfers
10 from the FEC to a hospital within 48 hours of the transfer
11 plus any other data determined to be relevant by the
12 Department;

13 (11) submits to the Department, on a quarterly basis,
14 the FEC's morbidity and mortality rates for patients
15 treated at the FEC and other data determined to be relevant
16 by the Department;

17 (12) does not describe itself or hold itself out to the
18 general public as a full service hospital or hospital
19 emergency department in its advertising or marketing
20 activities;

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

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

25 (15) submits a copy of the permit issued by the
26 Illinois Health Facilities Planning Board indicating that

1 the facility has complied with the Illinois Health
2 Facilities Planning Act with respect to the health services
3 to be provided at the facility;

4 (16) submits an application for designation as an FEC
5 in a manner and form prescribed by the Department by rule;
6 and

7 (17) pays the annual license fee as determined by the
8 Department by rule.

9 (a-5) Notwithstanding any other provision of this Section,
10 the Department may issue an annual FEC license to a facility
11 that is located in a county that does not have a licensed
12 general acute care hospital if the facility's application for a
13 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 if the facility complies with the
16 requirements set forth in paragraphs (1) through (17) of
17 subsection (a).

18 (a-10) Notwithstanding any other provision of this
19 Section, the Department may issue an annual FEC license to a
20 facility if the facility has, by March 31, 2009, filed a letter
21 of intent to establish an FEC and if the facility complies with
22 the requirements set forth in paragraphs (1) through (17) of
23 subsection (a).

24 (b) The Department shall:

25 (1) annually inspect facilities of initial FEC
26 applicants and licensed FECs, and issue annual licenses to

1 or annually relicense FECs that satisfy the Department's
2 licensure requirements as set forth in subsection (a);

3 (2) suspend, revoke, refuse to issue, or refuse to
4 renew the license of any FEC, after notice and an
5 opportunity for a hearing, when the Department finds that
6 the FEC has failed to comply with the standards and
7 requirements of the Act or rules adopted by the Department
8 under the Act;

9 (3) issue an Emergency Suspension Order for any FEC
10 when the Director or his or her designee has determined
11 that the continued operation of the FEC poses an immediate
12 and serious danger to the public health, safety, and
13 welfare. An opportunity for a hearing shall be promptly
14 initiated after an Emergency Suspension Order has been
15 issued; and

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

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

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."