

HB4074



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4074

by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

225 ILCS 61/10

Amends the Patients' Right to Know Act. Extends the disclosure period from 5 years to 10 years for certain information that must be posted on a physician's public profile.

LRB097 16041 CEL 61194 b

A BILL FOR

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 Patients' Right to Know Act is amended by
5 changing Section 10 as follows:

6 (225 ILCS 61/10)

7 Sec. 10. Physician profiles. The Department shall make
8 available to the public a profile of each physician. The
9 Department shall make this information available through an
10 Internet web site and, if requested, in writing. The physician
11 profile shall contain the following information:

12 (1) the full name of the physician;

13 (2) a description of any criminal convictions for
14 felonies and Class A misdemeanors, as determined by the
15 Department, within the most recent 10 ~~5~~ years. For the
16 purposes of this Section, a person shall be deemed to be
17 convicted of a crime if he or she pleaded guilty or if he
18 was found or adjudged guilty by a court of competent
19 jurisdiction;

20 (3) a description of any final Department disciplinary
21 actions within the most recent 10 ~~5~~ years;

22 (4) a description of any final disciplinary actions by
23 licensing boards in other states within the most recent 10

1 ~~5~~ years;

2 (5) a description of revocation or involuntary
3 restriction of hospital privileges for reasons related to
4 competence or character that have been taken by the
5 hospital's governing body or any other official of the
6 hospital after procedural due process has been afforded, or
7 the resignation from or nonrenewal of medical staff
8 membership or the restriction of privileges at a hospital
9 taken in lieu of or in settlement of a pending disciplinary
10 case related to competence or character in that hospital.
11 Only cases which have occurred within the most recent 10 ~~5~~
12 years shall be disclosed by the Department to the public;

13 (6) all medical malpractice court judgments and all
14 medical malpractice arbitration awards in which a payment
15 was awarded to a complaining party during the most recent
16 10 ~~5~~ years and all settlements of medical malpractice
17 claims in which a payment was made to a complaining party
18 within the most recent 10 ~~5~~ years. A medical malpractice
19 judgment or award that has been appealed shall be
20 identified prominently as "Under Appeal" on the profile
21 within 20 days of formal written notice to the Department.
22 Information concerning all settlements shall be
23 accompanied by the following statement: "Settlement of a
24 claim may occur for a variety of reasons which do not
25 necessarily reflect negatively on the professional
26 competence or conduct of the physician. A payment in

1 settlement of a medical malpractice action or claim should
2 not be construed as creating a presumption that medical
3 malpractice has occurred." Nothing in this subdivision (6)
4 shall be construed to limit or prevent the Disciplinary
5 Board from providing further explanatory information
6 regarding the significance of categories in which
7 settlements are reported. Pending malpractice claims shall
8 not be disclosed by the Department to the public. Nothing
9 in this subdivision (6) shall be construed to prevent the
10 Disciplinary Board from investigating and the Department
11 from disciplining a physician on the basis of medical
12 malpractice claims that are pending;

13 (7) names of medical schools attended, dates of
14 attendance, and date of graduation;

15 (8) graduate medical education;

16 (9) specialty board certification. The toll-free
17 number of the American Board of Medical Specialties shall
18 be included to verify current board certification status;

19 (10) number of years in practice and locations;

20 (11) names of the hospitals where the physician has
21 privileges;

22 (12) appointments to medical school faculties and
23 indication as to whether a physician has a responsibility
24 for graduate medical education within the most recent 10 ~~5~~
25 years;

26 (13) information regarding publications in

1 peer-reviewed medical literature within the most recent 10
2 ~~5~~ years;

3 (14) information regarding professional or community
4 service activities and awards;

5 (15) the location of the physician's primary practice
6 setting;

7 (16) identification of any translating services that
8 may be available at the physician's primary practice
9 location; and

10 (17) an indication of whether the physician
11 participates in the Medicaid program.

12 (Source: P.A. 97-280, eff. 8-9-11.)