



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3716

by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-685 new
210 ILCS 50/3.90

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to require the Department of Public Health to take all steps necessary to ensure that Roseland Community Hospital has the facilities, staff, equipment, and other resources necessary to enable it to develop a state-of-the-art mental health facility. Amends the Emergency Medical Services (EMS) Systems Act to require the Department of Public Health to take all steps necessary to ensure that Roseland Community Hospital has the facilities, staff, equipment, and other resources necessary to enable it to obtain designation as a Level I Trauma Center in order to treat shooting victims.

LRB098 14361 RPM 48997 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health facilities.

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

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-685 as follows:

7 (20 ILCS 2310/2310-685 new)

8 Sec. 2310-685. Roseland Community Hospital mental health
9 facility. The Department shall take all steps necessary to
10 ensure that Roseland Community Hospital, located at 45 West
11 111th Street, Chicago, has the facilities, staff, equipment,
12 and other resources necessary to enable it to develop a
13 state-of-the-art mental health facility.

14 Section 10. The Emergency Medical Services (EMS) Systems
15 Act is amended by changing Section 3.90 as follows:

16 (210 ILCS 50/3.90)

17 Sec. 3.90. Trauma Center Designations.

18 (a) "Trauma Center" means a hospital which: (1) within
19 designated capabilities provides optimal care to trauma
20 patients; (2) participates in an approved EMS System; and (3)
21 is duly designated pursuant to the provisions of this Act.

1 Level I Trauma Centers shall provide all essential services
2 in-house, 24 hours per day, in accordance with rules adopted by
3 the Department pursuant to this Act. Level II Trauma Centers
4 shall have some essential services available in-house, 24 hours
5 per day, and other essential services readily available, 24
6 hours per day, in accordance with rules adopted by the
7 Department pursuant to this Act.

8 (b) The Department shall have the authority and
9 responsibility to:

10 (1) Establish minimum standards for designation as a
11 Level I or Level II Trauma Center, consistent with Sections
12 22 and 23 of this Act, through rules adopted pursuant to
13 this Act;

14 (2) Require hospitals applying for trauma center
15 designation to submit a plan for designation in a manner
16 and form prescribed by the Department through rules adopted
17 pursuant to this Act;

18 (3) Upon receipt of a completed plan for designation,
19 conduct a site visit to inspect the hospital for compliance
20 with the Department's minimum standards. Such visit shall
21 be conducted by specially qualified personnel with
22 experience in the delivery of emergency medical and/or
23 trauma care. A report of the inspection shall be provided
24 to the Director within 30 days of the completion of the
25 site visit. The report shall note compliance or lack of
26 compliance with the individual standards for designation,

1 but shall not offer a recommendation on granting or denying
2 designation;

3 (4) Designate applicant hospitals as Level I or Level
4 II Trauma Centers which meet the minimum standards
5 established by this Act and the Department. Beginning
6 September 1, 1997 the Department shall designate a new
7 trauma center only when a local or regional need for such
8 trauma center has been identified. The Department shall
9 request an assessment of local or regional need from the
10 applicable EMS Region's Trauma Center Medical Directors
11 Committee, with advice from the Regional Trauma Advisory
12 Committee. This shall not be construed as a needs
13 assessment for health planning or other purposes outside of
14 this Act;

15 (5) Attempt to designate trauma centers in all areas of
16 the State. There shall be at least one Level I Trauma
17 Center serving each EMS Region, unless waived by the
18 Department. This subsection shall not be construed to
19 require a Level I Trauma Center to be located in each EMS
20 Region. Level I Trauma Centers shall serve as resources for
21 the Level II Trauma Centers in the EMS Regions. The extent
22 of such relationships shall be defined in the EMS Region
23 Plan;

24 (6) Inspect designated trauma centers to assure
25 compliance with the provisions of this Act and the rules
26 adopted pursuant to this Act. Information received by the

1 Department through filed reports, inspection, or as
2 otherwise authorized under this Act shall not be disclosed
3 publicly in such a manner as to identify individuals or
4 hospitals, except in proceedings involving the denial,
5 suspension or revocation of a trauma center designation or
6 imposition of a fine on a trauma center;

7 (7) Renew trauma center designations every 2 years,
8 after an on-site inspection, based on compliance with
9 renewal requirements and standards for continuing
10 operation, as prescribed by the Department through rules
11 adopted pursuant to this Act;

12 (8) Refuse to issue or renew a trauma center
13 designation, after providing an opportunity for a hearing,
14 when findings show that it does not meet the standards and
15 criteria prescribed by the Department;

16 (9) Review and determine whether a trauma center's
17 annual morbidity and mortality rates for trauma patients
18 significantly exceed the State average for such rates,
19 using a uniform recording methodology based on nationally
20 recognized standards. Such determination shall be
21 considered as a factor in any decision by the Department to
22 renew or refuse to renew a trauma center designation under
23 this Act, but shall not constitute the sole basis for
24 refusing to renew a trauma center designation;

25 (10) Take the following action, as appropriate, after
26 determining that a trauma center is in violation of this

1 Act or any rule adopted pursuant to this Act:

2 (A) If the Director determines that the violation
3 presents a substantial probability that death or
4 serious physical harm will result and if the trauma
5 center fails to eliminate the violation immediately or
6 within a fixed period of time, not exceeding 10 days,
7 as determined by the Director, the Director may
8 immediately revoke the trauma center designation. The
9 trauma center may appeal the revocation within 15 days
10 after receiving the Director's revocation order, by
11 requesting a hearing as provided by Section 29 of this
12 Act. The Director shall notify the chair of the
13 Region's Trauma Center Medical Directors Committee and
14 EMS Medical Directors for appropriate EMS Systems of
15 such trauma center designation revocation;

16 (B) If the Director determines that the violation
17 does not present a substantial probability that death
18 or serious physical harm will result, the Director
19 shall issue a notice of violation and request a plan of
20 correction which shall be subject to the Department's
21 approval. The trauma center shall have 10 days after
22 receipt of the notice of violation in which to submit a
23 plan of correction. The Department may extend this
24 period for up to 30 days. The plan shall include a
25 fixed time period not in excess of 90 days within which
26 violations are to be corrected. The plan of correction

1 and the status of its implementation by the trauma
2 center shall be provided, as appropriate, to the EMS
3 Medical Directors for appropriate EMS Systems. If the
4 Department rejects a plan of correction, it shall send
5 notice of the rejection and the reason for the
6 rejection to the trauma center. The trauma center shall
7 have 10 days after receipt of the notice of rejection
8 in which to submit a modified plan. If the modified
9 plan is not timely submitted, or if the modified plan
10 is rejected, the trauma center shall follow an approved
11 plan of correction imposed by the Department. If, after
12 notice and opportunity for hearing, the Director
13 determines that a trauma center has failed to comply
14 with an approved plan of correction, the Director may
15 revoke the trauma center designation. The trauma
16 center shall have 15 days after receiving the
17 Director's notice in which to request a hearing. Such
18 hearing shall conform to the provisions of Section 30
19 of this Act;

20 (11) The Department may delegate authority to local
21 health departments in jurisdictions which include a
22 substantial number of trauma centers. The delegated
23 authority to those local health departments shall include,
24 but is not limited to, the authority to designate trauma
25 centers with final approval by the Department, maintain a
26 regional data base with concomitant reporting of trauma

1 registry data, and monitor, inspect and investigate trauma
2 centers within their jurisdiction, in accordance with the
3 requirements of this Act and the rules promulgated by the
4 Department;

5 (A) The Department shall monitor the performance
6 of local health departments with authority delegated
7 pursuant to this Section, based upon performance
8 criteria established in rules promulgated by the
9 Department;

10 (B) Delegated authority may be revoked for
11 substantial non-compliance with the Department's
12 rules. Notice of an intent to revoke shall be served
13 upon the local health department by certified mail,
14 stating the reasons for revocation and offering an
15 opportunity for an administrative hearing to contest
16 the proposed revocation. The request for a hearing must
17 be received by the Department within 10 working days of
18 the local health department's receipt of notification;

19 (C) The director of a local health department may
20 relinquish its delegated authority upon 60 days
21 written notification to the Director of Public Health.

22 (c) The Department shall take all steps necessary to ensure
23 that Roseland Community Hospital, located at 45 West 111th
24 Street, Chicago, has the facilities, staff, equipment, and
25 other resources necessary to enable it to obtain designation as
26 a Level I Trauma Center in order to treat shooting victims.

1 (Source: P.A. 89-177, eff. 7-19-95.)