



Rep. Lou Lang

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10000HB0094ham001

LRB100 03744 MJP 36970 a

1 AMENDMENT TO HOUSE BILL 94

2 AMENDMENT NO. _____. Amend House Bill 94 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Medical Patient Rights Act is amended by
5 adding Section 3.4 as follows:

6 (410 ILCS 50/3.4 new)

7 Sec. 3.4. Informed consent; tissue samples.

8 (a) As used in this Section:

9 "Health care procedure" means an affirmative medical
10 action performed upon a patient for therapeutic or diagnostic
11 purposes.

12 "Health care provider" has the meaning provided under
13 Section 2.03 and also includes a physician licensed to practice
14 medicine in all its branches and his or her agents, a dentist
15 licensed under the Illinois Dental Practice Act and his or her
16 agents, and an optometrist licensed under the Illinois

1 Optometric Practice Act of 1987 and his or her agents.

2 "Human tissue specimen" means biological material: (1)
3 originating within and taken from a living patient during a
4 health care procedure and (2) that is not to be transplanted
5 directly into another human body. "Human tissue specimen"
6 includes saliva swabs and cheek swabs.

7 "Informed consent document" means a written statement by
8 which a patient provides his or her informed consent.

9 "Medical emergency" means the occurrence of a sudden,
10 serious, and unexpected sickness or injury that would lead a
11 reasonable person, possessing an average knowledge of medicine
12 and health, to believe that the sick or injured person requires
13 urgent or unscheduled medical care.

14 (b) A health care provider must provide an informed consent
15 document to a patient at least 20 hours before a health care
16 procedure, except in cases of a medical emergency or when it is
17 not reasonably possible to do so. Each informed consent
18 document shall include the following language in at least
19 14-point bold type capital letters on the first page:

20 "IF YOU DO NOT DONATE HUMAN TISSUE SPECIMENS FROM YOUR
21 MEDICAL PROCEDURE, YOU WILL STILL RECEIVE YOUR MEDICAL
22 PROCEDURE AND ITS BENEFITS."

23 (c) This Section does not affect organ donation laws,
24 cadaver laws, or the Illinois Anatomical Gift Act.

25 Section 99. Effective date. This Act takes effect June 1,

1 2019.".