



Rep. David R. Leitch

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LRB094 05632 LCB 43563 a

1 AMENDMENT TO HOUSE BILL 179

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 179 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Good Samaritan Act is amended by changing  
5 Section 30 as follows:

6 (745 ILCS 49/30)

7 Sec. 30. Free medical clinic; exemption from civil  
8 liability for services performed without compensation.

9 (a) A person licensed under the Medical Practice Act of  
10 1987, a person licensed to practice the treatment of human  
11 ailments in any other state or territory of the United States,  
12 or a health care professional, including but not limited to an  
13 advanced practice nurse, physician assistant, nurse,  
14 pharmacist, physical therapist, podiatrist, or social worker  
15 licensed in this State or any other state or territory of the  
16 United States, who, in good faith, provides medical treatment,  
17 diagnosis, or advice as a part of the services of an  
18 established free medical clinic providing care to medically  
19 indigent patients which is limited to care that does not  
20 require the services of a licensed hospital or ambulatory  
21 surgical treatment center and who receives no fee or  
22 compensation from that source shall not be liable for civil  
23 damages as a result of his or her acts or omissions in  
24 providing that medical treatment, except for willful or wanton

1 misconduct.

2 (b) For purposes of this Section, a "free medical clinic"  
3 is an organized community based program providing medical care  
4 without charge to individuals unable to pay for it, at which  
5 the care provided does not include the use of general  
6 anesthesia or require an overnight stay in a health-care  
7 facility. A "free medical clinic" shall include federally  
8 qualified health centers.

9 (c) The provisions of subsection (a) of this Section do not  
10 apply to a particular case unless the free medical clinic has  
11 posted in a conspicuous place on its premises an explanation of  
12 the exemption from civil liability provided herein.

13 (d) The immunity from civil damages provided under  
14 subsection (a) also applies to physicians, hospitals, and other  
15 health care providers that provide further medical treatment,  
16 diagnosis, or advice to a patient upon referral from an  
17 established free medical clinic without fee or compensation.  
18 The immunity for civil damages provided under subsection (a)  
19 also applies to physicians and other health care professionals  
20 that provide medical treatment, diagnosis, or advice at  
21 federally qualified health care centers without fee or  
22 compensation.

23 (e) Nothing in this Section prohibits a free medical clinic  
24 from accepting voluntary contributions for medical services  
25 provided to a patient who has acknowledged his or her ability  
26 and willingness to pay a portion of the value of the medical  
27 services provided.

28 Any voluntary contribution collected for providing care at  
29 a free medical clinic shall be used only to pay overhead  
30 expenses of operating the clinic. No portion of any moneys  
31 collected shall be used to provide a fee or other compensation  
32 to any person licensed under Medical Practice Act of 1987.

33 (Source: P.A. 89-607, eff. 1-1-97; 90-742, eff. 8-13-98.)"