

AN ACT concerning regulation.

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

Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.233 as follows:

(210 ILCS 50/3.233)

Sec. 3.233. Opioid overdose reporting.

(a) In this Section:

"Covered vehicle service provider" means a licensed vehicle service provider ~~that is a municipality with a population of 1,000,000 or greater.~~

"Covered vehicle service provider personnel" means individuals licensed by the Department as EMTs, EMT-Is, A-EMTs, Paramedics, PHRNs, PHAPRNs, or PHPAs ~~an EMT, EMT I, A EMT, or EMT P~~ who are employed by a covered vehicle service provider.

"Opioid" means any narcotic containing opium or one or more of its natural or synthetic derivatives.

"Overdose" means a physiological event that results in a life-threatening emergency to an individual who ingested, inhaled, injected, or otherwise bodily absorbed an opioid.

(b) Covered vehicle service provider personnel who treat and either release or transport to a health care facility an

individual experiencing a suspected or an actual overdose shall document in the patient's care report the information specified in subsection (c) within 24 hours of the initial reporting of the incident.

(c) A patient care report of an overdose made under this Section shall include:

(1) the date and time of the overdose;

(2) the location in latitude and longitude, to no more than 4 decimal places, where the overdose victim was initially encountered by the covered vehicle service provider personnel;

(3) whether one or more doses of an opioid overdose reversal drug were administered; and

(4) whether the overdose was fatal or nonfatal when the overdose victim was initially encountered by the covered vehicle service provider personnel and during the transportation of the victim to a health care facility.

(d) Upon receipt of a patient care report that documents an overdose, the Department ~~a covered vehicle service provider~~ shall report the information listed under subsection (c) to:

(i) the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application;  
or

(ii) any similar information technology platform with secure access operated by the federal government or a unit of State ~~state~~ or local government, as determined by the

covered vehicle service provider and as approved by the Department.

(e) Overdose information reported by a covered vehicle service provider under this Section shall not be used in an opioid use-related criminal investigation, ~~or~~ prosecution, welfare checks, or warrant checks of the individual who was treated by the covered vehicle service provider personnel for experiencing the suspected or actual overdose. Any misuse of the information reported by a covered vehicle service provider shall result in, but is not limited to, the Department reporting misuse to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or a similar technology platform. The Department may adopt rules to set forth standards under which misuse of access may be reported to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Map or a similar platform based on misuse or misconduct by a covered vehicle service provider or other individual or entity at the discretion of the Department.

(f) Covered vehicle service providers or covered vehicle service provider personnel that in good faith make a report under this Section shall be immune from civil or criminal liability for making the report.

(g) No data that allows for or creates a risk of identification of an individual or individuals experiencing a suspected or actual overdose treated by the covered vehicle

service provider personnel shall be submitted to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or a similar technology platform.

(h) Covered vehicle service provider personnel may report overdose surveillance through an identified technology platform for the use of overdose surveillance under exceptions to the Health Insurance Portability and Accountability Act of 1996 and the reported data shall only be used to support public safety and public health efforts.

(i) Efforts shall be made by the Department to enhance sharing of information to identify areas of need and provide harm reduction resources and strategies when and where it is most needed. This may include working with the Regional Care Coordination Advisory Councils or the formation of a risk reduction advisory group that may include State and local public health, health care, and harm reduction providers, and first responders and law enforcement to address harm reduction instead of criminal prosecution.

(j) The Department shall partner with harm reduction providers, local health departments, and law enforcement to identify performance measures for the use of the overdose detection mapping system surveillance data and monitor the impact of the use of the system and its data. This data shall also be used to develop and implement evidence-based strategies to prevent opioid overdoses.

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HB3645 Enrolled

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(Source: P.A. 101-320, eff. 8-9-19; 102-558, eff. 8-20-21.)