

AN ACT concerning regulation.

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

Section 5. The Hospital Licensing Act is amended by changing Sections 3 and 6.23 as follows:

(210 ILCS 85/3)

Sec. 3. As used in this Act:

(A) "Hospital" means any institution, place, building, buildings on a campus, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity.

The term "hospital", without regard to length of stay, shall also include:

(a) any facility which is devoted primarily to providing psychiatric and related services and programs for the diagnosis and treatment or care of 2 or more unrelated persons suffering from emotional or nervous diseases;

(b) all places where pregnant females are received,

cared for, or treated during delivery irrespective of the number of patients received; and

(c) on and after January 1, 2023, a rural emergency hospital, as that term is defined under subsection (kkk)(2) of Section 1861 of the federal Social Security Act; to provide for the expeditious and timely implementation of this amendatory Act of the 102nd General Assembly, emergency rules to implement the changes made to the definition of "hospital" by this amendatory Act of the 102nd General Assembly may be adopted by the Department subject to the provisions of Section 5-45 of the Illinois Administrative Procedure Act.

The term "hospital" includes general and specialized hospitals, tuberculosis sanitarium, mental or psychiatric hospitals and sanitarium, and includes maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery.

The term "hospital" does not include:

(1) any person or institution required to be licensed pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act;

(2) hospitalization or care facilities maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitalization or care

facilities under its management and control;

(3) hospitalization or care facilities maintained by the federal government or agencies thereof;

(4) hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation;

(5) any person or facility required to be licensed pursuant to the Substance Use Disorder Act;

(6) any facility operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination;

(7) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act;

(8) any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 or maintained by a State-supported or publicly funded university or college; or

(9) a psychiatric residential treatment facility certified under the Psychiatric Residential Treatment Facilities (PRTF) Act.

(B) "Person" means the State, and any political subdivision or municipal corporation, individual, firm,

partnership, corporation, company, association, or joint stock association, or the legal successor thereof.

(C) "Department" means the Department of Public Health of the State of Illinois.

(D) "Director" means the Director of Public Health of the State of Illinois.

(D-5) "Pathogens of epidemiological concern" means any infectious agent that has one or more of the following characteristics:

(1) a propensity for transmission within health care facilities based on published reports from:

(A) the Centers for Disease Control and Prevention; or

(B) the Department of Public Health;

(2) the occurrence of temporal or geographic clusters of 2 or more patients;

(3) antimicrobial resistance implications;

(4) association with serious clinical disease or increased morbidity and mortality;

(5) a newly discovered or reemerging pathogen; or

(6) any other characteristic determined by a state or local health department.

(E) "Perinatal" means the period of time between the conception of an infant and the end of the first month after birth.

(F) "Federally designated organ procurement agency" means

the organ procurement agency designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located; except that in the case of a hospital located in a county adjacent to Wisconsin which currently contracts with an organ procurement agency located in Wisconsin that is not the organ procurement agency designated by the U.S. Secretary of Health and Human Services for the service area in which the hospital is located, if the hospital applies for a waiver pursuant to 42 U.S.C. 1320b-8(a), it may designate an organ procurement agency located in Wisconsin to be thereafter deemed its federally designated organ procurement agency for the purposes of this Act.

(G) "Tissue bank" means any facility or program operating in Illinois that is certified by the American Association of Tissue Banks or the Eye Bank Association of America and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them into the human body. "Tissue bank" does not include a licensed blood bank. For the purposes of this Act, "tissue" does not include organs.

(H) "Campus", as this term applies to operations, has the same meaning as the term "campus" as set forth in federal Medicare regulations, 42 CFR 413.65.

(Source: P.A. 104-147, eff. 8-1-25.)

(210 ILCS 85/6.23)

Sec. 6.23. Prevention and control of pathogens of epidemiological concern ~~Multidrug-Resistant Organisms~~.

(a) Each hospital shall develop and implement comprehensive interventions to prevent and control pathogens of epidemiological concern ~~multidrug-resistant organisms~~ (MDROs), ~~including methicillin resistant Staphylococcus aureus (MRSA), vancomycin resistant enterococci (VRE), and certain gram negative bacilli (GNB),~~ that take into consideration guidelines of the U.S. Centers for Disease Control and Prevention or recommendations from (A) the Infectious Disease Society of America, (B) the Society for Healthcare Epidemiology of America, (C) the Association for Professionals in Infection Control and Epidemiology, and (D) the Pediatric Infectious Disease Society for the management of multidrug-resistant organisms ~~MDROs~~ in health care ~~healthcare~~ settings. The Department may also consider any other credible scientific bodies or organizations in adopting rules and developing policies and findings in relation to the management of multidrug-resistant organisms in health care settings. The Department shall adopt administrative rules that require hospitals to perform an annual facility-wide infection control risk assessment and enforce hand hygiene and contact precaution requirements.

(b) Within 12 months after the effective date of this

amendatory Act of the 104th General Assembly, each hospital shall adopt a policy for preventing and controlling the transmission of pathogens of epidemiological concern that shall, at a minimum, contain:

(1) a facility risk assessment to identify pathogens of epidemiological concern that considers elements such as the probability of occurrence, as determined through surveillance, the potential impact of a pathogen, and measures the hospital has implemented to mitigate the risk to patients, health care workers, and visitors; and

(2) appropriate evidence-based procedures and intervention strategies to identify patients carrying pathogens of epidemiological concern and to help prevent patients from transmitting pathogens of epidemiological concern to other patients and health care workers.

(c) A hospital that has, through appropriate testing, identified a patient who has a pathogen of epidemiological concern shall report the patient to the United States Department of Health and Human Services or the National Healthcare Safety Network of the United States Centers for Disease Control and Prevention, as required by the Department of Public Health or the United States Centers for Medicare and Medicaid services.

(Source: P.A. 95-282, eff. 8-20-07; 95-876, eff. 8-21-08.)

Public Act 104-0508

HB4977 Enrolled

LRB104 20091 BAB 33542 b

Section 10. The MRSA Screening and Reporting Act is repealed.