



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

**HB4282**

Introduced 1/14/2026, by Rep. Amy Briel

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.1038 new  
745 ILCS 70/6.1  
745 ILCS 70/12

from Ch. 111 1/2, par. 5312

Amends the State Finance Act to create the Women's Reproductive Health Care Fund. Amends the Health Care Right of Conscience Act. Makes a protocol provision mandatory (instead of at the request of the patient or legal representative of the patient) that the health care facility, physician, or health care personnel must: (i) refer the patient to, or (ii) transfer the patient to, or (iii) provide in writing information to the patient about other health care providers who they reasonably believe may offer the health care service the health care facility, physician, or health personnel refuses to permit, perform, or participate in because of a conscience-based objection. Provides that the injured person shall recover \$5,000 in damages, and the violator shall pay to the circuit court clerk a penalty of \$5,000 that is to be remitted as soon as practicable to the Department of Healthcare and Family Services for deposit into the Women's Reproductive Health Care Fund, a special fund created in the State treasury. Provides that, subject to appropriation and as directed by the Department of Healthcare and Family Services, all monies in the Fund shall be expended to improve women's reproductive health care and for no other purpose.

LRB104 17129 JRC 30548 b

1 AN ACT concerning civil law.

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

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.1038 as follows:

6 (30 ILCS 105/5.1038 new)

7 Sec. 5.1038. The Women's Reproductive Health Care Fund.

8 Section 10. The Health Care Right of Conscience Act is  
9 amended by changing Sections 6.1 and 12 as follows:

10 (745 ILCS 70/6.1)

11 Sec. 6.1. Access to care and information protocols. All  
12 health care facilities shall adopt written access to care and  
13 information protocols that are designed to ensure that  
14 conscience-based objections do not cause impairment of  
15 patients' health and that explain how conscience-based  
16 objections will be addressed in a timely manner to facilitate  
17 patient health care services. The protections of Sections 4,  
18 5, 7, 8, 9, 10, and 11 of this Act only apply if  
19 conscience-based refusals occur in accordance with these  
20 protocols. These protocols must, at a minimum, address the  
21 following:

1           (1) The health care facility, physician, or health  
2           care personnel shall inform a patient of the patient's  
3           condition, prognosis, legal treatment options, and risks  
4           and benefits of the treatment options in a timely manner,  
5           consistent with current standards of medical practice or  
6           care.

7           (2) When a health care facility, physician, or health  
8           care personnel is unable to permit, perform, or  
9           participate in a health care service that is a diagnostic  
10          or treatment option requested by a patient because the  
11          health care service is contrary to the conscience of the  
12          health care facility, physician, or health care personnel,  
13          then the patient shall either be provided the requested  
14          health care service by others in the facility or be  
15          notified that the health care will not be provided and be  
16          referred, transferred, or given information in accordance  
17          with paragraph (3).

18          (3) ~~The~~ If ~~requested by the patient or the legal~~  
19          ~~representative of the patient, the~~ health care facility,  
20          physician, or health care personnel shall: (i) refer the  
21          patient to, or (ii) transfer the patient to, or (iii)  
22          provide in writing information to the patient about other  
23          health care providers who they reasonably believe may  
24          offer the health care service the health care facility,  
25          physician, or health personnel refuses to permit, perform,  
26          or participate in because of a conscience-based objection.

1           (4) If requested by the patient or the legal  
2           representative of the patient, the health care facility,  
3           physician, or health care personnel shall provide copies  
4           of medical records to the patient or to another health  
5           care professional or health care facility designated by  
6           the patient in accordance with Illinois law, without undue  
7           delay.

8           (Source: P.A. 99-690, eff. 1-1-17.)

9           (745 ILCS 70/12) (from Ch. 111 1/2, par. 5312)

10          Sec. 12. Actions; damages. Any person, association,  
11          corporation, entity or health care facility injured by any  
12          public or private person, association, agency, entity or  
13          corporation by reason of any action prohibited by this Act may  
14          commence a suit therefor, and shall recover threefold the  
15          actual damages, including pain and suffering, sustained by  
16          such person, association, corporation, entity or health care  
17          facility, the costs of the suit and reasonable attorney's  
18          fees; but in no case shall recovery be less than \$2,500 for  
19          each violation in addition to costs of the suit and reasonable  
20          attorney's fees. If the injury is caused by a violation of  
21          paragraph (3) of Section 6.1, the injured person shall recover  
22          \$5,000 in damages, and the violator shall pay to the circuit  
23          court clerk a penalty of \$5,000 that is to be remitted as soon  
24          as practicable to the Department of Healthcare and Family  
25          Services for deposit into the Women's Reproductive Health Care

1 Fund, a special fund created in the State treasury. Subject to  
2 appropriation and as directed by the Department of Healthcare  
3 and Family Services, all monies in the Fund are to be expended  
4 to improve women's reproductive health care and for no other  
5 purpose. These damage remedies shall be cumulative, and not  
6 exclusive of other remedies afforded under any other state or  
7 federal law.

8 (Source: P.A. 90-246, eff. 1-1-98.)