



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4314

Introduced 1/14/2026, by Rep. William E Hauter

SYNOPSIS AS INTRODUCED:

210 ILCS 80/1

from Ch. 111 1/2, par. 86

Amends the Hospital Emergency Service Act. Provides that every hospital required to be licensed by the Department of Public Health pursuant to the Hospital Licensing Act which provides general medical and surgical hospital services, except for specified long-term acute care hospitals and rehabilitation hospitals, shall have at least one licensed physician who specializes in emergency medicine staffing the emergency department at all times. Effective immediately.

LRB104 16447 BAB 29840 b

1 AN ACT concerning regulation.

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

4 Section 5. The Hospital Emergency Service Act is amended
5 by changing Section 1 as follows:

6 (210 ILCS 80/1) (from Ch. 111 1/2, par. 86)

7 Sec. 1. Requirements to provide emergency medical care.

8 (a) Every hospital required to be licensed by the
9 Department of Public Health pursuant to the Hospital Licensing
10 Act which provides general medical and surgical hospital
11 services, except long-term acute care hospitals and
12 rehabilitation hospitals identified in Section 1.3 of this
13 Act, shall provide a hospital emergency service in accordance
14 with rules and regulations adopted by the Department of Public
15 Health and shall furnish such hospital emergency services to
16 any applicant who applies for the same in case of injury or
17 acute medical condition where the same is liable to cause
18 death or severe injury or serious illness. Every hospital
19 required to provide a hospital emergency service under this
20 Section shall have at least one licensed physician who
21 specializes in emergency medicine staffing the emergency
22 department at all times. For purposes of this Act, "applicant"
23 includes any person who presents at the hospital or who is

1 brought to a hospital by ambulance or specialized emergency
2 medical services vehicle as defined in the Emergency Medical
3 Services (EMS) Systems Act. Hospitals shall furnish hospital
4 emergency services, including as described in subsections
5 (b-1) and (b-2), in accordance with the procedures required by
6 the federal Emergency Medical Treatment and Active Labor Act
7 (EMTALA), including, but not limited to, medical screening,
8 the provision of necessary stabilizing treatment, procedures
9 for refusals to consent, restricting transfers until the
10 individual is stabilized, appropriate transfers of patients,
11 nondiscrimination, no delay in examination or treatment, and
12 whistleblower protections.

13 (b-1) For purposes of this Act, "injury or acute medical
14 condition where the same is liable to cause death or severe
15 injury or serious illness" includes, but is not limited to,
16 when a pregnant patient is experiencing ectopic pregnancy,
17 complications of pregnancy loss, risks to future fertility,
18 previable preterm premature rupture of membranes (PPROM), or
19 emergent hypertensive disorders, such as preeclampsia.

20 (b-2) For purposes of this Act, "stabilizing treatment"
21 includes abortion when abortion is necessary to resolve the
22 patient's injury or acute medical condition that is liable to
23 cause death or severe injury or serious illness.

24 (c) The amendments to this Section are declarative of
25 existing law.

26 (d) Nothing in this Section shall be construed to alter

1 existing legal statuses and rights.

2 (Source: P.A. 103-784, eff. 8-7-24.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.