



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

**HB4977**

by Rep. Nicolle Grasse

#### SYNOPSIS AS INTRODUCED:

210 ILCS 85/3  
210 ILCS 85/6.23  
210 ILCS 83/Act rep.

Amends the Hospital Licensing Act. Defines "pathogens of epidemiological concern". Provides that each hospital shall develop and implement comprehensive interventions to prevent and control pathogens of epidemiological concern (instead of multidrug-resistant organisms) that take into consideration guidelines of the U.S. Centers for Disease Control and Prevention or recommendations from the Infectious Disease Society of America, the Society for Healthcare Epidemiology of America, the Association for Professionals in Infection Control and Epidemiology, or the Pediatric Infectious Disease Society for the management of multidrug-resistant organisms in health care settings. Within 12 months after the effective date of the amendatory Act, requires each hospital to adopt a policy for preventing and controlling the transmission of pathogens of epidemiological concern. Establishes reporting requirements for hospitals with patients carrying pathogens of epidemiological concern. Repeals the MRSA Screening and Reporting Act.

LRB104 20091 BAB 33542 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 Licensing Act is amended by  
5 changing Sections 3 and 6.23 as follows:

6 (210 ILCS 85/3)

7 Sec. 3. As used in this Act:

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

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

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

23 (b) all places where pregnant females are received,

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

3           (c) on and after January 1, 2023, a rural emergency  
4           hospital, as that term is defined under subsection  
5           (kkk)(2) of Section 1861 of the federal Social Security  
6           Act; to provide for the expeditious and timely  
7           implementation of this amendatory Act of the 102nd General  
8           Assembly, emergency rules to implement the changes made to  
9           the definition of "hospital" by this amendatory Act of the  
10          102nd General Assembly may be adopted by the Department  
11          subject to the provisions of Section 5-45 of the Illinois  
12          Administrative Procedure Act.

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

18          The term "hospital" does not include:

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

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

1 facilities under its management and control;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (B) the Department of Public Health;

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

17 (3) antimicrobial resistance implications;

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

20 (5) a newly discovered or reemerging pathogen; or

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

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

26 (F) "Federally designated organ procurement agency" means

1 the organ procurement agency designated by the Secretary of  
2 the U.S. Department of Health and Human Services for the  
3 service area in which a hospital is located; except that in the  
4 case of a hospital located in a county adjacent to Wisconsin  
5 which currently contracts with an organ procurement agency  
6 located in Wisconsin that is not the organ procurement agency  
7 designated by the U.S. Secretary of Health and Human Services  
8 for the service area in which the hospital is located, if the  
9 hospital applies for a waiver pursuant to 42 U.S.C.  
10 1320b-8(a), it may designate an organ procurement agency  
11 located in Wisconsin to be thereafter deemed its federally  
12 designated organ procurement agency for the purposes of this  
13 Act.

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

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

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

1 (210 ILCS 85/6.23)

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

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

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

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

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

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

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

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

25 (210 ILCS 83/Act rep.)

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