



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5568

Introduced 2/13/2026, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

745 ILCS 10/6-101
745 ILCS 10/6-106

from Ch. 85, par. 6-101
from Ch. 85, par. 6-106

Amends the Local Governmental and Governmental Employees Tort Immunity Act. Includes "medical examiner's office" and "coroner's office" within the definition of "medical facility" in Article VI covering Hospital and Public Health Activities. Provides that nothing in the Act exonerates a public employee or medical facility from liability for injury proximately caused by any negligent or wrongful conduct, act, or omission, in the handling, identification, disposal, or treatment of a deceased human, or exonerates a local public entity whose employee, while acting in the scope of his or her employment, so causes such an injury. Applies only to causes of actions accruing on or after the effective date of the amendatory Act.

LRB104 17152 JRC 30571 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 Local Governmental and Governmental
5 Employees Tort Immunity Act is amended by changing Sections
6 6-101 and 6-106 as follows:

7 (745 ILCS 10/6-101) (from Ch. 85, par. 6-101)

8 Sec. 6-101. As used in this Article, unless the context
9 otherwise requires:

10 (a) "Medical facility" includes a hospital, infirmary,
11 clinic, dispensary, medical examiner's office, coroner's
12 office, mental institution or similar facility.

13 (b) "Mental institution" means any medical facility or
14 part of any medical facility used primarily for the care or
15 treatment of persons committed for mental illness or
16 addiction.

17 (c) "Public health clinic" means an outpatient program
18 conducted by a locally based not-for-profit corporation, or by
19 any local board of health whose health department is
20 recognized by, and has a designation status established by,
21 the Illinois Department of Public Health and complies with the
22 Public Health Standing Orders Act.

23 (d) "Public health standing orders physician" means a

1 person licensed to practice medicine in all its branches in
2 Illinois and who, under an agreement with a locally based
3 not-for-profit corporation which conducts a public health
4 clinic which provides among its services free medical services
5 to indigent persons unable to pay for their own medical care,
6 or a local board of health, provides medical oversight to a
7 public health clinic in accordance with the following:

8 (1) reviews the standing orders for the public health
9 clinic and amends the standing orders from time to time in
10 keeping with current trends in sound medical practice;

11 (2) reviews the standing orders, as amended, with the
12 professional staff of the public health clinic at least
13 once a year;

14 (3) participates in a site visit of a clinic covered
15 by the standing orders periodically;

16 (4) signs standing orders for medical procedures
17 conducted in the public health clinic in conformance with
18 sound medical practice; and

19 (5) is available for consultation with the
20 professional clinic staff.

21 (e) The changes to this Section made by this amendatory
22 Act of the 97th General Assembly apply only to causes of
23 actions accruing on or after the effective date of this
24 amendatory Act of the 97th General Assembly.

25 (f) The changes to this Section made by this amendatory
26 Act of the 104th General Assembly apply only to causes of

1 actions accruing on or after the effective date of this
2 amendatory Act of the 104th General Assembly.

3 (Source: P.A. 97-589, eff. 1-1-12.)

4 (745 ILCS 10/6-106) (from Ch. 85, par. 6-106)

5 Sec. 6-106. (a) Neither a local public entity nor a public
6 employee acting within the scope of his employment is liable
7 for injury resulting from diagnosing or failing to diagnose
8 that a person is afflicted with mental or physical illness or
9 addiction or from failing to prescribe for mental or physical
10 illness or addiction.

11 (b) Neither a local public entity nor a public employee
12 acting within the scope of his employment is liable for
13 administering with due care the treatment prescribed for
14 mental or physical illness or addiction.

15 (c) Nothing in this section exonerates a public employee
16 who has undertaken to prescribe for mental or physical illness
17 or addiction from liability for injury proximately caused by
18 his negligence or by his wrongful act in so prescribing or
19 exonerates a local public entity whose employee, while acting
20 in the scope of his employment, so causes such an injury.

21 (d) Nothing in this section exonerates a public employee
22 or medical facility from liability for injury proximately
23 caused by his negligent or wrongful act or omission in
24 administering any treatment prescribed for mental or physical
25 illness or addiction or exonerates a local public entity whose

1 employee, while acting in the scope of his employment, so
2 causes such an injury.

3 (e) Nothing in this section exonerates a public employee
4 or medical facility from liability for injury proximately
5 caused by any negligent or wrongful conduct, act, or omission,
6 in the handling, identification, disposal, or treatment of a
7 deceased human, or exonerates a local public entity whose
8 employee, while acting in the scope of his or her employment,
9 so causes such an injury.

10 (f) The changes to this Section made by this amendatory
11 Act of the 104th General Assembly apply only to causes of
12 actions accruing on or after the effective date of this
13 amendatory Act of the 104th General Assembly.

14 (Source: Laws 1965, p. 2983.)