

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB2420**

Introduced 2/7/2025, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.233

Amends the Emergency Medical Services (EMS) Systems Act. In provisions concerning opioid overdose reporting, provides that overdose information reported by a covered vehicle service provider shall not be used in an opioid use-related criminal investigation, prosecution, welfare checks, or warrant checks of the individual who was treated by the covered vehicle service provider personnel for experiencing the suspected or actual overdose. Provides that any misuse of the information reported by a covered vehicle service provider shall result in, but is not limited to, the Department of Transportation reporting misuse to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or similar technology platform. Permits the Department of Health to adopt rules to set forth standards under which misuse of access may be reported to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Map or similar platform based on misuse or misconduct by a covered vehicle service provider or other individual or entity at the discretion of the Department. Provides that no data that allows for or creates a risk of identification of an individual or individuals experiencing a suspected or actual overdose treated by the covered vehicle service provider personnel shall be submitted to the Washington/Baltimore High Intensity Drug Trafficking Area Overdose Detection Mapping Application or Similar technology platform. Provides that covered vehicle service provider personnel may report overdose surveillance through an identified technology platform for the use of overdose surveillance under exceptions to HIPAA and the reported data shall only be used to support public safety and public health efforts. Sets forth additional provisions concerning requirements for the Department concerning opioid overdose reporting.

LRB104 09280 BAB 19338 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 Emergency Medical Services (EMS) Systems
5 Act is amended by changing Section 3.233 as follows:

6 (210 ILCS 50/3.233)

7 Sec. 3.233. Opioid overdose reporting.

8 (a) In this Section:

9 "Covered vehicle service provider" means a licensed
10 vehicle service provider ~~that is a municipality with a~~
11 ~~population of 1,000,000 or greater.~~

12 "Covered vehicle service provider personnel" means
13 individuals licensed by the Department as an EMT, EMT-I,
14 A-EMT, or EMT-P who are employed by a covered vehicle service
15 provider.

16 "Opioid" means any narcotic containing opium or one or
17 more of its natural or synthetic derivatives.

18 "Overdose" means a physiological event that results in a
19 life-threatening emergency to an individual who ingested,
20 inhaled, injected, or otherwise bodily absorbed an opioid.

21 (b) Covered vehicle service provider personnel who treat
22 and either release or transport to a health care facility an
23 individual experiencing a suspected or an actual overdose

1 shall document in the patient's care report the information
2 specified in subsection (c) within 24 hours of the initial
3 reporting of the incident.

4 (c) A patient care report of an overdose made under this
5 Section shall include:

6 (1) the date and time of the overdose;

7 (2) the location in latitude and longitude, to no more
8 than 4 decimal places, where the overdose victim was
9 initially encountered by the covered vehicle service
10 provider personnel;

11 (3) whether one or more doses of an opioid overdose
12 reversal drug were administered; and

13 (4) whether the overdose was fatal or nonfatal when
14 the overdose victim was initially encountered by the
15 covered vehicle service provider personnel and during the
16 transportation of the victim to a health care facility.

17 (d) Upon receipt of a patient care report that documents
18 an overdose, a covered vehicle service provider shall report
19 the information listed under subsection (c) to:

20 (i) the Washington/Baltimore High Intensity Drug
21 Trafficking Area Overdose Detection Mapping Application;
22 or

23 (ii) any similar information technology platform with
24 secure access operated by the federal government or a unit
25 of State ~~state~~ or local government, as determined by the
26 covered vehicle service provider and as approved by the

1 Department.

2 (e) Overdose information reported by a covered vehicle
3 service provider under this Section shall not be used in an
4 opioid use-related criminal investigation, ~~or~~ prosecution,
5 welfare checks, or warrant checks of the individual who was
6 treated by the covered vehicle service provider personnel for
7 experiencing the suspected or actual overdose. Any misuse of
8 the information reported by a covered vehicle service provider
9 shall result in, but is not limited to, the Department
10 reporting misuse to the Washington/Baltimore High Intensity
11 Drug Trafficking Area Overdose Detection Mapping Application
12 or similar technology platform. The Department may adopt rules
13 to set forth standards under which misuse of access may be
14 reported to the Washington/Baltimore High Intensity Drug
15 Trafficking Area Overdose Detection Map or similar platform
16 based on misuse or misconduct by a covered vehicle service
17 provider or other individual or entity at the discretion of
18 the Department.

19 (f) Covered vehicle service providers or covered vehicle
20 service provider personnel that in good faith make a report
21 under this Section shall be immune from civil or criminal
22 liability for making the report.

23 (g) No data that allows for or creates a risk of
24 identification of an individual or individuals experiencing a
25 suspected or actual overdose treated by the covered vehicle
26 service provider personnel shall be submitted to the

1 Washington/Baltimore High Intensity Drug Trafficking Area
2 Overdose Detection Mapping Application or Similar technology
3 platform.

4 (h) Covered vehicle service provider personnel may report
5 overdose surveillance through an identified technology
6 platform for the use of overdose surveillance under exceptions
7 to HIPAA and the reported data shall only be used to support
8 public safety and public health efforts.

9 (i) Efforts shall be made by the Department to enhance
10 sharing of information to identify areas of need and provide
11 harm reduction resources and strategies when and where it is
12 most needed. This may include working with the Regional Care
13 Coordination Advisory Councils or the formation of a risk
14 reduction advisory group that may include State and local
15 public health, healthcare, harm reduction providers, and first
16 responders and law enforcement to address harm reduction
17 instead of criminal prosecution.

18 (j) The Department shall partner with harm reduction
19 providers, local health departments, and law enforcement to
20 identify performance measures for the use of the overdose
21 detection mapping system surveillance data and monitor the
22 impact of the use of the system and its data. This data shall
23 also be used to develop and implement evidence-based
24 strategies to prevent opioid overdoses.

25 (Source: P.A. 101-320, eff. 8-9-19; 102-558, eff. 8-20-21.)