

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 Section 6.26 as follows:

6 (210 ILCS 85/6.26)

7 Sec. 6.26. Immunization against influenza virus and  
8 pneumococcal disease.

9 (a) Every hospital shall adopt an influenza and  
10 pneumococcal immunization policy that includes, but need not  
11 be limited to, the following:

12 (1) Procedures for identifying patients eligible age  
13 ~~50 or older~~ for influenza and immunization and ~~65 or older~~  
14 ~~for pneumococcal immunization and, at the discretion of~~  
15 ~~the facility, other patients at risk.~~

16 (2) Procedures for offering immunization against  
17 influenza virus when available between September 1 and  
18 April 1 of the subsequent year, or as indicated by the  
19 Department if the flu season varies significantly from  
20 those dates, and against pneumococcal disease upon  
21 admission or discharge, to patients in accordance with the  
22 recommendations of the State Guidelines for Communicable  
23 Disease Prevention issued by the Director of Public Health

1 pursuant to Section 1.2 of the Communicable Disease  
2 Prevention Act or the Advisory Committee on Immunization  
3 Practices of the Centers for Disease Control and  
4 Prevention that are most recent to the time of  
5 vaccination, unless contraindicated.

6 (3) Procedures for ensuring that patients offered  
7 immunization, or their guardians, receive information  
8 regarding the risks and benefits of vaccination.

9 The hospital shall provide a copy of its influenza and  
10 pneumococcal immunization policy to the Department upon  
11 request.

12 If the State Guidelines for Communicable Disease  
13 Prevention and the guidance from the Advisory Committee on  
14 Immunization Practices of the Centers for Disease Control and  
15 Prevention are in conflict, the State Guidelines for  
16 Communicable Disease Prevention shall control where the  
17 applicable guidance from the Advisory Committee on  
18 Immunization Practices of the Centers for Disease Control and  
19 Prevention significantly deviates from evidence-based  
20 immunization practices established by credible scientific and  
21 medical communities, experts, and practitioners.

22 (b) A home rule unit may not regulate immunization against  
23 influenza virus and pneumococcal disease in a manner  
24 inconsistent with the regulation of such immunizations under  
25 this Section. This subsection is a limitation under subsection  
26 (i) of Section 6 of Article VII of the Illinois Constitution on

1 the concurrent exercise by home rule units of powers and  
2 functions exercised by the State.

3 (Source: P.A. 103-57, eff. 1-1-24.)