**Section 545.100 Sexual Assault Services Vouchers and Written Notice to Sexual Assault Survivors**

a) *Every hospital or approved pediatric health care facility providing medical forensic services to sexual assault survivors shall issue a voucher to any sexual assault survivor who is eligible to receive one in accordance with Section 5.2 of the Act. The hospital or approved pediatric health care facility shall make a copy of the voucher and place it in the medical record of the sexual assault survivor. The hospital or approved pediatric health care facility shall provide a copy of the voucher to the sexual assault survivor after discharge upon request.* (Section 5(b-5) of the Act)

b) *Every hospital and approved pediatric health care facility providing treatment services to sexual assault survivors in accordance with a plan approved under Section 2 of* *the* *Act* and this Part shall *provide a written notice to a sexual assault survivor. The written notice* shall *include, but is not limited to, the following*:

1) *A statement that the sexual assault survivor* *should* *not be directly billed by any ambulance provider providing transportation services, or by any hospital, approved pediatric health care facility, health care professional, laboratory, or pharmacy for the services the sexual assault survivor received as an outpatient at the hospital or approved pediatric health care facility*;

2) *A statement that a sexual assault survivor who is admitted to a hospital may be billed for inpatient services provided by a hospital, health care professional, laboratory, or pharmacy*;

3) *A statement that, prior to* the sexual assault survivor *leaving the hospital or approved pediatric health care facility, the hospital or approved pediatric health care facility will give the sexual assault survivor a sexual assault services voucher for follow-up healthcare if the sexual assault survivor is eligible to receive a sexual assault services voucher*;

4) *The definition of "follow-up healthcare" as set forth in Section 1a of* *the* *Act* and Section 545.20 of this Part;

5) *A phone number the sexual assault survivor may call should the sexual assault survivor receive a bill from the hospital or pediatric health care facility for medical forensic services*; and

6) *The toll-free phone number of the Office of the Illinois Attorney General, Crime Victim Services Division,* that *the sexual assault survivor may call should the sexual assault survivor receive a bill from an ambulance provider, approved pediatric health care facility, a health care professional, a laboratory, or a pharmacy*.

c) *Subsection* (b) *shall not apply to hospitals that provide transfer services as defined under Section 1a of* *the* *Act* and Section 545.20 of this Part. (Section 7.5(c) of the Act)

d) *A sexual assault services voucher shall be issued by a treatment hospital, treatment hospital with approved pediatric transfer or approved pediatric health care facility at the time a sexual assault survivor receives medical forensic services.*

e) *Each treatment hospital, treatment hospital with approved pediatric transfer, and approved pediatric health care facility shall include in its sexual assault treatment plan submitted to the Department in accordance with Section 2 of the Act* and Section 545.35 of this Part *a protocol for issuing sexual assault services vouchers. The protocol shall, at a minimum, include the following*:

1) *Identification of employee positions responsible for issuing sexual assault services vouchers*;

2) *Identification of employee positions with access to the Medical Electronic Data Interchange or successor system*; and

3) For pediatric health care facilities, *a statement to be signed by each employee of that facility with access to the Medical Electronic Data Interchange or successor system affirming that system will only be used for the purpose of issuing sexual assault services vouchers*.

f) *A sexual assault services voucher may be used to seek payment for any ambulance services, medical forensic services, laboratory services, pharmacy services, and follow-up healthcare provided as a result of the sexual assault.*

g) *Any treatment hospital, treatment hospital with approved pediatric transfer, approved pediatric health care facility, health care professional, ambulance provider, laboratory, or pharmacy may submit a bill for services provided to a sexual assault survivor as a result of a sexual assault to the Department of Healthcare and Family Services Sexual Assault Emergency Treatment Program. The bill shall include the*:

1) *Name and date of birth of the sexual assault survivor*;

2) *Service provided*;

3) *Charge of service*;

4) *Date the service was provided; and*

5) *Recipient identification number, if known*. (Section 5.2 of the Act)

h) *A hospital, approved pediatric health care facility, health care professional, ambulance provider, laboratory, or pharmacy furnishing medical forensic services, transportation, follow-up healthcare, or medication to a sexual assault survivor shall not:*

1) *Charge or submit a bill for any portion of the costs of the services, transportation, or medications to the sexual assault survivor, including any insurance deductible, co-pay, co-insurance, denial of claim by an insurer, spenddown, or any other out-of-pocket expense;*

2) *Communicate with, harass, or intimidate the sexual assault survivor for payment of services, including, but not limited to, repeatedly calling or writing to the sexual assault survivor and threatening to refer the matter to a debt collection agency or to an attorney for collection, enforcement, or filing of other process;*

3) *Refer a bill to a collection agency or attorney for collection action against the sexual assault survivor;*

4) *Contact or distribute information to affect the sexual assault survivor's credit rating; or*

5) *Take any other action adverse to the sexual assault survivor or his or her family on account of providing services to the sexual assault survivor*. (Section 7.5(a) of the Act)

i) *Nothing in* subsection (h) *precludes a hospital, health care provider, ambulance provider, laboratory, or pharmacy from billing the sexual assault survivor or any applicable health insurance or coverage for inpatient services*. (Section 7.5(b) of the Act)

j) *Notwithstanding any other provision of law, including, but not limited to,* Section 7.5(a) of the Act and subsection (h), *a sexual assault survivor who is not the subscriber or primary policyholder of the sexual assault survivor's insurance policy may opt out of billing the sexual assault survivor's private insurance provider. If the sexual assault survivor opts out of billing the sexual assault survivor's private insurance provider, then the bill for medical forensic services shall be sent to the Department of Healthcare and Family Services' Sexual Assault Emergency Treatment Program for reimbursement for the services provided to the sexual assault survivor.*  (Section 7.5(a-5) of the Act)

(Source: Amended at 47 Ill. Reg. 18705, effective January 1, 2024)