



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0069

Introduced 1/14/2021, by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

110 ILCS 330/8d new
210 ILCS 85/6.28 new
410 ILCS 50/3.5 new

Amends the University of Illinois Hospital Act and the Hospital Licensing Act. Provides that before using any diagnostic algorithm to diagnose a patient, a hospital must first confirm that the diagnostic algorithm has been certified by the Department of Public Health and the Department of Innovation and Technology, has been shown to achieve as or more accurate diagnostic results than other diagnostic means, and is not the only method of diagnosis available to a patient. Amends the Medical Patient Rights Act. Provides that a patient has the right to be told when a diagnostic algorithm will be used to diagnose them. Provides that before a diagnostic algorithm is used to diagnose a patient, the patient must first be presented with the option of being diagnosed without the diagnostic algorithm and consent to the diagnostic algorithm's use.

LRB102 03825 CPF 13839 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Hospital Act is
5 amended by adding Section 8d as follows:

6 (110 ILCS 330/8d new)

7 Sec. 8d. Diagnostic algorithm. Before using any
8 diagnostic algorithm to diagnose a patient, the University of
9 Illinois Hospital must first confirm all of the following:

10 (1) The diagnostic algorithm has been certified by the
11 Department of Public Health and the Department of
12 Innovation and Technology.

13 (2) The diagnostic algorithm has been shown to achieve
14 as or more accurate diagnostic results than other
15 diagnostic means.

16 (3) The diagnostic algorithm is not the only method of
17 diagnosis available to a patient.

18 Section 10. The Hospital Licensing Act is amended by
19 adding Section 6.28 as follows:

20 (210 ILCS 85/6.28 new)

21 Sec. 6.28. Diagnostic algorithm. Before using any

1 diagnostic algorithm to diagnose a patient, a hospital
2 licensed under this Act must first confirm all of the
3 following:

4 (1) The diagnostic algorithm has been certified by the
5 Department of Public Health and the Department of
6 Innovation and Technology.

7 (2) The diagnostic algorithm has been shown to achieve
8 as or more accurate diagnostic results than other
9 diagnostic means.

10 (3) The diagnostic algorithm is not the only method of
11 diagnosis available to a patient.

12 Section 15. The Medical Patient Rights Act is amended by
13 adding Section 3.5 as follows:

14 (410 ILCS 50/3.5 new)

15 Sec. 3.5. Diagnostic algorithm. A patient has the right to
16 be told when a diagnostic algorithm will be used to diagnose
17 him or her. Before a diagnostic algorithm is used to diagnose a
18 patient, the patient must first:

19 (1) be presented with the option of being diagnosed
20 without the diagnostic algorithm; and

21 (2) consent to the diagnostic algorithm's use.