

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 3.155 as follows:

6 (210 ILCS 50/3.155)

7 Sec. 3.155. General Provisions.

8 (a) Authority and responsibility for the EMS System shall
9 be vested in the EMS Resource Hospital, through the EMS
10 Medical Director or his designee.

11 (b) For an inter-hospital emergency or non-emergency
12 medical transport, in which the physician from the sending
13 hospital provides the EMS personnel with written medical
14 orders, such written medical orders cannot exceed the scope of
15 care which the EMS personnel are authorized to render pursuant
16 to this Act.

17 (c) For an inter-hospital emergency or non-emergency
18 medical transport of a patient who requires medical care
19 beyond the scope of care which the EMS personnel are
20 authorized to render pursuant to this Act, a qualified
21 physician, nurse, perfusionist, or respiratory therapist
22 familiar with the scope of care needed must accompany the
23 patient and the transferring hospital and physician shall

1 assume medical responsibility for that portion of the medical
2 care.

3 (d) No emergency medical services vehicles or personnel
4 from another State or nation may be utilized on a regular basis
5 to pick up and transport patients within this State without
6 first complying with this Act and all rules adopted by the
7 Department pursuant to this Act.

8 (e) This Act shall not prevent emergency medical services
9 vehicles or personnel from another State or nation from
10 rendering requested assistance in this State in a disaster
11 situation, or operating from a location outside the State and
12 occasionally transporting patients into this State for needed
13 medical care. Except as provided in Section 31 of this Act,
14 this Act shall not provide immunity from liability for such
15 activities.

16 (f) Except as provided in subsection (e) of this Section,
17 no person or entity shall transport emergency or non-emergency
18 patients by ambulance, SEMSV, or medical carrier without first
19 complying with the provisions of this Act and all rules
20 adopted pursuant to this Act.

21 (g) Nothing in this Act or the rules adopted by the
22 Department under this Act shall be construed to authorize any
23 medical treatment to or transportation of any person who
24 objects on religious grounds.

25 (h) Patients, individuals who accompany a patient, and
26 emergency medical services personnel may not smoke while

1 inside an ambulance or SEMSV. The Department of Public Health
2 may impose a civil penalty on an individual who violates this
3 subsection in the amount of \$100.

4 (i) When a patient has been determined by EMS personnel to
5 (1) have no immediate life-threatening injuries or illness,
6 (2) not be under the influence of drugs or alcohol, (3) have no
7 immediate or obvious need for transport to an emergency
8 department, and (4) have an immediate need for transport to an
9 EMS System-approved mental health facility, the EMS personnel
10 may contact Online Medical Control or his or her EMS Medical
11 Director or Emergency Communications Registered Nurse to
12 request bypass or diversion of the closest emergency
13 department, as outlined in paragraph (5) of subsection (c) of
14 Section 3.20, and request transport to the closest or
15 appropriate EMS System-approved mental health facility. In
16 addition, EMS personnel may transport a patient to an EMS
17 System-approved urgent care or immediate care facility that
18 meets the proper criteria and is approved by Online Medical
19 Control or his or her EMS Medical Director or Emergency
20 Communications Registered Nurse.

21 (Source: P.A. 92-376, eff. 8-15-01.)