



Sen. Dan McConchie

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10200SB1405sam001

LRB102 11182 CPF 36595 a

1 AMENDMENT TO SENATE BILL 1405

2 AMENDMENT NO. _____. Amend Senate Bill 1405 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Medical Patient Rights Act is amended by
5 changing Section 3.2 as follows:

6 (410 ILCS 50/3.2) (from Ch. 111 1/2, par. 5403.2)

7 Sec. 3.2. (a) Every health care facility in this State
8 shall permit visitation by any person or persons designated by
9 a patient who is 18 years of age or older and who is allowed
10 rights of visitation unless (1) the facility does not allow
11 any visitation for a patient or patients, or (2) the facility
12 or the patient's physician determines that visitation would
13 endanger the physical health or safety of a patient or
14 visitor, or would interfere with the operations of the
15 facility. ~~Nothing in this Act shall restrict the ability of a~~
16 ~~health care facility to regulate the hours of visitation, the~~

1 ~~number of visitors per patient or the movement of visitors~~
2 ~~within the facility.~~

3 (a-5) Notwithstanding subsection (a), during a period for
4 which the Governor has issued a proclamation under Section 7
5 of the Illinois Emergency Management Agency Act declaring that
6 a disaster exists or in the event of an outbreak or epidemic of
7 a communicable disease in the community in which the health
8 care facility is located, a health care facility shall ensure
9 an opportunity for at least one visitor to visit a resident or
10 patient of the health care facility. A health care facility
11 shall not count a clergyperson toward any limit on the number
12 of visitors permitted to visit a resident or patient at one
13 time and shall permit a clergyperson to visit with a resident
14 or patient in addition to the permitted number of visitors.
15 Visitation shall be subject to the guidelines, conditions, and
16 limitations of the health care facility's visitation policy
17 and any rules or guidelines established by the U.S. Centers
18 for Medicare and Medicaid Services and the Centers for Disease
19 Control and Prevention.

20 Visitors under this subsection may be required by the
21 health care facility to submit to health screenings necessary
22 to prevent the spread of infectious disease. A health care
23 facility may restrict a visitor who does not pass its health
24 screening requirement. A health care facility may require a
25 visitor to adhere to infection control procedures, including
26 wearing personal protective equipment. A health care facility

1 may deny visitation under this Act if the situation demands
2 it, such as if it is determined visitation would endanger the
3 physical health or safety of a patient, the visitor, or health
4 care workers.

5 (b) Nothing in this Section shall be construed to further
6 limit or restrict the right of visitation provided by other
7 provisions of law or restrict the ability of a health care
8 facility to regulate hours of visitation, except as set forth
9 in subsection (a-5), the number of visitors per patient, or
10 the movement of visitors within the health care facility.

11 (c) For the purposes of this Section a "health care
12 facility" does not include a developmental disability
13 facility, a mental health facility or a mental health center.

14 (Source: P.A. 87-651.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."