

# HB3886



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3886

Introduced 2/17/2023, by Rep. Camille Y. Lilly

### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-50.15 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall require health care facilities and health care professionals to conform to specified requirements regarding patient care during a public health emergency. Requires the Department to adopt rules necessary to effectuate the provisions. Effective immediately.

LRB103 31026 JDS 57644 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-50.15 as follows:

7 (20 ILCS 2310/2310-50.15 new)

8 Sec. 2310-50.15. Public health emergencies; requirements  
9 for health care facilities and health care professionals;  
10 rules.

11

12 (a) During a public health emergency, the Department, for  
13 such period as the public health emergency exists, shall  
14 require health care facilities and health care professionals  
15 to:

16 (1) permit a patient who is eligible for intensive  
17 care unit services and other critical care services during  
18 ordinary circumstances to remain eligible for such  
19 services irrespective of the patient's age, disability, or  
20 other factors pertaining to the patient's identity;

21 (2) provide patients individualized assessments based  
22 on the best available objective medical evidence;

23 (3) ensure that no patient is denied care based on

1 stereotypes, assessments of the patient's quality of life,  
2 or assessments related to whether the patient is disabled  
3 or other factors pertaining to the patient's identity;

4 (4) ensure that decisions on the allocation of health  
5 care resources are not based on and, to the extent that it  
6 is possible, made with knowledge of a patient's age, race,  
7 creed, color, national origin, nationality, ancestry,  
8 marital status, domestic partnership or civil union  
9 status, sex, affectional or sexual orientation, gender  
10 identity or expression, disability, place of residence, or  
11 socioeconomic or health insurance status;

12 (5) distribute patients and critical care resources,  
13 including ventilators, among health care facilities in the  
14 State in a manner that reduces shortages of health care  
15 resources; and

16 (6) implement and complete such training for health  
17 care professionals and other staff as is necessary to  
18 effectuate the provisions of this Section.

19 (b) The Department shall adopt rules necessary to  
20 effectuate the provisions of this Section.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.