



Rep. William "Will" Davis

**Filed: 4/17/2024**

10300HB5085ham001

LRB103 38312 RPS 72493 a

1 AMENDMENT TO HOUSE BILL 5085

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5085 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Emergency Medical Services (EMS) Systems  
5 Act is amended by changing Sections 3.5, 3.35, and 3.65 as  
6 follows:

7 (210 ILCS 50/3.5)

8 Sec. 3.5. Definitions. As used in this Act:

9 "Clinical observation" means the ongoing observation of a  
10 patient's medical or mental health condition by a licensed  
11 health care professional utilizing a medical skill set while  
12 continuing assessment and care.

13 "Department" means the Illinois Department of Public  
14 Health.

15 "Director" means the Director of the Illinois Department  
16 of Public Health.

1 "Emergency" means a medical condition of recent onset and  
2 severity that would lead a prudent layperson, possessing an  
3 average knowledge of medicine and health, to believe that  
4 urgent or unscheduled medical care is required.

5 "Emergency Medical Services personnel" or "EMS personnel"  
6 means persons licensed as an Emergency Medical Responder (EMR)  
7 (First Responder), Emergency Medical Dispatcher (EMD),  
8 Emergency Medical Technician (EMT), Emergency Medical  
9 Technician-Intermediate (EMT-I), Advanced Emergency Medical  
10 Technician (A-EMT), Paramedic (EMT-P), Emergency  
11 Communications Registered Nurse (ECRN), Pre-Hospital  
12 Registered Nurse (PHRN), Pre-Hospital Advanced Practice  
13 Registered Nurse (PHAPRN), or Pre-Hospital Physician Assistant  
14 (PHPA).

15 "Exclusive representative" has the same meaning as defined  
16 in Section 3 of the Illinois Public Labor Relations Act.

17 "Health care facility" means a hospital, nursing home,  
18 physician's office or other fixed location at which medical  
19 and health care services are performed. It does not include  
20 "pre-hospital emergency care settings" which utilize EMS  
21 personnel to render pre-hospital emergency care prior to the  
22 arrival of a transport vehicle, as defined in this Act.

23 "Hospital" has the meaning ascribed to that term in the  
24 Hospital Licensing Act.

25 "Labor organization" has the same meaning as defined in  
26 Section 3 of the Illinois Public Labor Relations Act.

1 "Medical monitoring" means the performance of medical  
2 tests and physical exams to evaluate an individual's ongoing  
3 exposure to a factor that could negatively impact that  
4 person's health. "Medical monitoring" includes close  
5 surveillance or supervision of patients liable to suffer  
6 deterioration in physical or mental health and checks of  
7 various parameters such as pulse rate, temperature,  
8 respiration rate, the condition of the pupils, the level of  
9 consciousness and awareness, the degree of appreciation of  
10 pain, and blood gas concentrations such as oxygen and carbon  
11 dioxide.

12 "Silver spanner program" means a program in which a member  
13 under a fire department's or fire protection district's  
14 collective bargaining agreement works on or at the EMS System  
15 under another fire department's or fire protection district's  
16 collective bargaining agreement and (i) the other fire  
17 department or fire protection district is not the member's  
18 full-time employer and (ii) any EMS services not included  
19 under the original fire department's or fire protection  
20 district's collective bargaining agreement are included in the  
21 other fire department's or fire protection district's  
22 collective bargaining agreement.

23 "Trauma" means any significant injury which involves  
24 single or multiple organ systems.

25 (Source: P.A. 103-521, eff. 1-1-24.)

1 (210 ILCS 50/3.35)

2 Sec. 3.35. Emergency Medical Services (EMS) Resource  
3 Hospital; Functions. The Resource Hospital of an EMS System  
4 shall:

5 (a) Prepare a Program Plan in accordance with the  
6 provisions of this Act and minimum standards and criteria  
7 established in rules adopted by the Department pursuant to  
8 this Act, and submit such Program Plan to the Department  
9 for approval.

10 (b) Appoint an EMS Medical Director, who will  
11 continually monitor and supervise the System and who will  
12 have the responsibility and authority for total management  
13 of the System as delegated by the EMS Resource Hospital.

14 The Program Plan shall require the EMS Medical  
15 Director to appoint an alternate EMS Medical Director and  
16 establish a written protocol addressing the functions to  
17 be carried out in his or her absence.

18 (c) Appoint an EMS System Coordinator and EMS  
19 Administrative Director in consultation with the EMS  
20 Medical Director and in accordance with rules adopted by  
21 the Department pursuant to this Act.

22 (d) Identify potential EMS System participants and  
23 obtain commitments from them for the provision of  
24 services.

25 (e) Educate or coordinate the education of EMS  
26 personnel and all other license holders in accordance with

1 the requirements of this Act, rules adopted by the  
2 Department pursuant to this Act, and the EMS System  
3 Program Plan. An EMS System may coordinate education  
4 outside of the region of which it is located with valid  
5 justification and Department approval. The didactic  
6 portion of education may be conducted through an online  
7 platform with EMS System and Department approval. An  
8 education plan within a Resource Hospital may include  
9 classes performed outside of the region in which the  
10 Resource Hospital is located. When considering whether to  
11 approve or deny an education plan for classes performed  
12 outside of the region in which a Resource Hospital is  
13 located, the Department shall give deference to the EMS  
14 Medical Director's education plan request and shall not  
15 unreasonably withhold approval.

16 (f) Notify the Department of EMS personnel who have  
17 successfully completed the requirements as provided by law  
18 for initial licensure, license renewal, and license  
19 reinstatement by the Department.

20 (g) Educate or coordinate the education of Emergency  
21 Medical Dispatcher candidates, in accordance with the  
22 requirements of this Act, rules adopted by the Department  
23 pursuant to this Act, and the EMS System Program Plan.

24 (h) Establish or approve protocols for prearrival  
25 medical instructions to callers by System Emergency  
26 Medical Dispatchers who provide such instructions.

1           (i) Educate or coordinate the education of  
2 Pre-Hospital Registered Nurse, Pre-Hospital Advanced  
3 Practice Registered Nurse, Pre-Hospital Physician  
4 Assistant, and ECRN candidates, in accordance with the  
5 requirements of this Act, rules adopted by the Department  
6 pursuant to this Act, and the EMS System Program Plan.

7           (j) Approve Pre-Hospital Registered Nurse,  
8 Pre-Hospital Advanced Practice Registered Nurse,  
9 Pre-Hospital Physician Assistant, and ECRN candidates to  
10 practice within the System, and reapprove Pre-Hospital  
11 Registered Nurses, Pre-Hospital Advanced Practice  
12 Registered Nurses, Pre-Hospital Physician Assistants, and  
13 ECRNs every 4 years in accordance with the requirements of  
14 the Department and the System Program Plan.

15           (k) Establish protocols for the use of Pre-Hospital  
16 Registered Nurses, Pre-Hospital Advanced Practice  
17 Registered Nurses, and Pre-Hospital Physician Assistants  
18 within the System.

19           (l) Establish protocols for utilizing ECRNs and  
20 physicians licensed to practice medicine in all of its  
21 branches to monitor telecommunications from, and give  
22 voice orders to, EMS personnel, under the authority of the  
23 EMS Medical Director.

24           (m) Monitor emergency and non-emergency medical  
25 transports within the System, in accordance with rules  
26 adopted by the Department pursuant to this Act.

1           (n) Utilize levels of personnel required by the  
2 Department to provide emergency care to the sick and  
3 injured at the scene of an emergency, during transport to  
4 a hospital or during inter-hospital transport and within  
5 the hospital emergency department until the responsibility  
6 for the care of the patient is assumed by the medical  
7 personnel of a hospital emergency department or other  
8 facility within the hospital to which the patient is first  
9 delivered by System personnel.

10           (o) Utilize levels of personnel required by the  
11 Department to provide non-emergency medical services  
12 during transport to a health care facility and within the  
13 health care facility until the responsibility for the care  
14 of the patient is assumed by the medical personnel of the  
15 health care facility to which the patient is delivered by  
16 System personnel.

17           (p) Establish and implement a program for System  
18 participant information and education, in accordance with  
19 rules adopted by the Department pursuant to this Act.

20           (q) Establish and implement a program for public  
21 information and education, in accordance with rules  
22 adopted by the Department pursuant to this Act.

23           (r) Operate in compliance with the EMS Region Plan.

24 (Source: P.A. 100-1082, eff. 8-24-19.)

25 (210 ILCS 50/3.65)

1           Sec. 3.65. EMS Lead Instructor.

2           (a) "EMS Lead Instructor" means a person who has  
3 successfully completed a course of education as approved by  
4 the Department, and who is currently approved by the  
5 Department to coordinate or teach education, training and  
6 continuing education courses, in accordance with standards  
7 prescribed by this Act and rules adopted by the Department  
8 pursuant to this Act.

9           (b) The Department shall have the authority and  
10 responsibility to:

11           (1) Prescribe education requirements for EMS Lead  
12 Instructor candidates through rules adopted pursuant to  
13 this Act.

14           (2) Prescribe testing requirements for EMS Lead  
15 Instructor candidates through rules adopted pursuant to  
16 this Act.

17           (3) Charge each candidate for EMS Lead Instructor a  
18 fee to be submitted with an application for an  
19 examination, an application for licensure, and an  
20 application for relicensure.

21           (4) Approve individuals as EMS Lead Instructors who  
22 have met the Department's education and testing  
23 requirements.

24           (5) Require that all education, training and  
25 continuing education courses for EMT, EMT-I, A-EMT,  
26 Paramedic, PHRN, PHPA, PHAPRN, ECRN, EMR, and Emergency



1 Medical Dispatcher be coordinated by at least one approved  
2 EMS Lead Instructor. A program which includes education,  
3 training or continuing education for more than one type of  
4 personnel may use one EMS Lead Instructor to coordinate  
5 the program, and a single EMS Lead Instructor may  
6 simultaneously coordinate more than one program or course.  
7 An EMS Lead Instructor may oversee a paramedic with at  
8 least 3 years of experience to teach EMT classes, with a  
9 licensed teacher, in high schools. High school students  
10 electing to not take the National Registry of Emergency  
11 Medical Technicians (NREMT) Certification exam shall not  
12 be accounted for in calculating the course pass rate by  
13 the EMS System or Department.

14 (6) Provide standards and procedures for awarding EMS  
15 Lead Instructor approval to persons previously approved by  
16 the Department to coordinate such courses, based on  
17 qualifications prescribed by the Department through rules  
18 adopted pursuant to this Act.

19 (7) Suspend, revoke, or refuse to issue or renew the  
20 approval of an EMS Lead Instructor, after an opportunity  
21 for a hearing, when findings show one or more of the  
22 following:

23 (A) The EMS Lead Instructor has failed to conduct  
24 a course in accordance with the curriculum prescribed  
25 by this Act and rules adopted by the Department  
26 pursuant to this Act; or

