



Rep. Eva-Dina Delgado

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10300SB2644ham001

LRB103 34708 SPS 72624 a

1 AMENDMENT TO SENATE BILL 2644

2 AMENDMENT NO. _____. Amend Senate Bill 2644 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Secretary of State Act is amended by
5 adding Section 34 as follows:

6 (15 ILCS 305/34 new)

7 Sec. 34. Advance Directive Registry.

8 (a) By January 1, 2027, the Secretary of State shall
9 establish an electronic registry, to be known as the Advance
10 Directive Registry, through which residents of the State of
11 Illinois may deposit, with the Secretary of State, a completed
12 Department of Public Health Uniform Practitioner Order for
13 Life-Sustaining Treatment (POLST) form. In calendar year 2026,
14 the Secretary of State shall, in good faith, promote the
15 Advance Directive Registry throughout the State by
16 disseminating information about the Advance Directive Registry

1 in the form and manner prescribed by the Secretary of State.

2 (b) Information in the Advance Directive Registry shall be
3 made available electronically to Emergency Medical Services
4 personnel as defined in the Emergency Medical Services (EMS)
5 Systems Act, administrators of hospitals licensed under the
6 Hospital Licensing Act, and administrators of hospitals
7 organized under the University of Illinois Hospital Act.
8 Hospital administrators shall, as appropriate for their
9 respective hospital, provide access to information in the
10 Advance Directive Registry to hospital health care providers
11 and health care professionals. Persons may rely on information
12 obtained from the Advance Directive Registry as an accurate
13 copy of the documents filed with the Advance Directive
14 Registry.

15 (c) Nothing in this Section shall limit the right to amend
16 or revoke a Department of Public Health Uniform POLST form
17 previously filed with the Advance Directive Registry.

18 (d) The Secretary of State shall adopt any rules necessary
19 to implement this amendatory Act of the 103rd General
20 Assembly, and the Secretary of State shall also provide on the
21 Secretary of State's website information regarding use of the
22 Advance Directive Registry.

23 (e) In the absence of gross negligence or willful
24 misconduct, the Secretary of State and employees of the
25 Secretary of State are immune from any civil or criminal
26 liability in connection with the creation and maintenance of

1 the Advance Directive Registry described in this Section.

2 (f) A person who knowingly submits a document to the
3 Advance Directive Registry without authorization or assists in
4 such submission shall be guilty of a Class A misdemeanor.

5 (g) Nothing in this Section requires a health care
6 professional or health care provider, including Emergency
7 Medical Services personnel as defined in the Emergency Medical
8 Services (EMS) Systems Act, a hospital licensed under the
9 Hospital Licensing Act, and a hospital organized under the
10 University of Illinois Hospital Act, to (i) inquire whether a
11 patient has a Department of Public Health Uniform POLST form
12 registered on the Advance Directive Registry or (ii) access or
13 search the Advance Directive Registry to determine whether a
14 patient has registered a Department of Public Health Uniform
15 POLST form or the terms of the form.

16 (h) A health care professional or health care provider,
17 including Emergency Medical Services personnel as defined in
18 the Emergency Medical Services (EMS) Systems Act, a hospital
19 licensed under the Hospital Licensing Act, and a hospital
20 organized under the University of Illinois Hospital Act, is
21 not subject to civil or criminal liability or professional
22 discipline for failure to access or search the Advance
23 Directive Registry. Notwithstanding any other provision of
24 this Section, a health care professional or health care
25 provider who relies in good faith on the provisions of a
26 Department of Public Health Uniform POLST form retrieved from

1 the Advance Directive Registry is immune from criminal and
2 civil liability as described in subsection (d) of Section 65
3 of the Health Care Surrogate Act and Section 3.150 of the
4 Emergency Medical Services (EMS) Systems Act."