



Sen. Christine Radogno

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LRB095 07649 WGH 32896 a

1 AMENDMENT TO SENATE BILL 233

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 233 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the MRSA  
5 Screening and Reporting Act.

6 Section 5. MRSA control program. In order to improve the  
7 prevention of hospital-associated bloodstream infections due  
8 to methicillin-resistant Staphylococcus aureus ("MRSA"), every  
9 hospital shall establish an MRSA control program that requires:

10 (1) Identification of all MRSA-colonized patients in  
11 all intensive care units, and at-risk patients identified  
12 by the hospital, through active surveillance testing.

13 (2) Isolation of identified MRSA-colonized or  
14 MRSA-infected patients in an appropriate manner.

15 (3) Strict adherence to hand washing and hygiene  
16 guidelines.

1           (4) Maintenance of records and reporting of cases under  
2           Section 10 of this Act.

3           Section 10. Reports to Department of Public Health.

4           (a) For all patients who are identified with nosocomial S.  
5 aureus bloodstream infection due to MRSA pursuant to Section 5,  
6 the Department of Public Health shall require the annual  
7 reporting of such cases as a communicable disease or condition.  
8 The report shall include the total numbers of all nosocomial S.  
9 aureus bloodstream infections due to MRSA, defined as those S.  
10 aureus bloodstream infections that are acquired during the  
11 initial stay in the hospital with onset of symptoms after 72  
12 hours in the hospital. The Department shall compile aggregate  
13 data from all hospitals for all such patients and shall make  
14 such data available on its website and in all reports on health  
15 statistics and reportable communicable disease cases in  
16 Illinois.

17           (b) The Department of Public Health shall establish by  
18 regulation a list of those communicable diseases and conditions  
19 for which annual reporting of specific data shall be required.

20           (c) After October 1, 2007, such reportable diseases and  
21 conditions shall include the total number of infections due to  
22 methicillin-resistant Staphylococcus aureus (MRSA) that (1)  
23 are present on admission to a hospital and (2) occurred during  
24 the stay, reported separately, as compiled from diagnostic  
25 codes contained in hospital discharge data provided to the

1 Department; provided that such reporting requirement shall  
2 apply only for patients in all intensive care units and other  
3 at-risk patients identified by hospitals for active  
4 surveillance testing for MRSA. The Department is authorized to  
5 require hospitals, based on guidelines developed by the  
6 National Center for Health Statistics, after October 1, 2007,  
7 to submit data to the Department that is coded as "present on  
8 admission" and "occurred during the stay".

9 Section 90. Repeal. This Act is repealed on January 1,  
10 2011.

11 Section 95. The Hospital Licensing Act is amended by  
12 changing Section 6.08 as follows:

13 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)

14 Sec. 6.08. (a) Every hospital shall provide notification as  
15 required in this Section to police officers, firefighters,  
16 emergency medical technicians, and ambulance personnel who  
17 have provided or are about to provide emergency care or life  
18 support services to a patient who has been diagnosed as having  
19 a dangerous communicable or infectious disease. Such  
20 notification shall not include the name of the patient, and the  
21 emergency services provider agency and any person receiving  
22 such notification shall treat the information received as a  
23 confidential medical record.

1 (b) The Department shall establish by regulation a list of  
2 those communicable reportable diseases and conditions for  
3 which notification shall be provided.

4 (b-5) The Department shall establish by regulation a list  
5 of those communicable diseases and conditions for which annual  
6 reporting of specific data shall be required. This subsection  
7 (b-5) is inoperative after December 31, 2010.

8 (b-10) After October 1, 2007, such reportable diseases and  
9 conditions shall include the total number of infections due to  
10 methicillin-resistant Staphylococcus aureus (MRSA) that (1)  
11 are present on admission to a hospital and (2) occurred during  
12 the stay, reported separately, as compiled from diagnostic  
13 codes contained in hospital discharge data provided to the  
14 Department; provided that such reporting requirement shall  
15 apply only for patients in all intensive care units and other  
16 at-risk patients identified by hospitals for active  
17 surveillance testing for MRSA. The Department is authorized to  
18 require hospitals, based on guidelines developed by the  
19 National Center for Health Statistics, after October 1, 2007,  
20 to submit data to the Department that is coded as "present on  
21 admission" and "occurred during the stay". This subsection  
22 (b-10) is inoperative after December 31, 2010.

23 (c) The hospital shall send the letter of notification  
24 within 72 hours after a confirmed diagnosis of any of the  
25 communicable diseases listed by the Department pursuant to  
26 subsection (b), except confirmed diagnoses of Acquired

1 Immunodeficiency Syndrome (AIDS). If there is a confirmed  
2 diagnosis of AIDS, the hospital shall send the letter of  
3 notification only if the police officers, firefighters,  
4 emergency medical technicians, or ambulance personnel have  
5 indicated on the ambulance run sheet that a reasonable  
6 possibility exists that they have had blood or body fluid  
7 contact with the patient, or if hospital personnel providing  
8 the notification have reason to know of a possible exposure.

9 (d) Notification letters shall be sent to the designated  
10 contact at the municipal or private provider agencies listed on  
11 the ambulance run sheet. Except in municipalities with a  
12 population over 1,000,000, a list attached to the ambulance run  
13 sheet must contain all municipal and private provider agency  
14 personnel who have provided any pre-hospital care immediately  
15 prior to transport. In municipalities with a population over  
16 1,000,000, the ambulance run sheet must contain the company  
17 number or unit designation number for any fire department  
18 personnel who have provided any pre-hospital care immediately  
19 prior to transport. The letter shall state the names of crew  
20 members listed on the attachment to the ambulance run sheet and  
21 the name of the communicable disease diagnosed, but shall not  
22 contain the patient's name. Upon receipt of such notification  
23 letter, the applicable private provider agency or the  
24 designated infectious disease control officer of a municipal  
25 fire department or fire protection district shall contact all  
26 personnel involved in the pre-hospital or inter-hospital care

1 and transport of the patient. Such notification letter may, but  
2 is not required to, consist of the following form:

3 NOTIFICATION LETTER

4 (NAME OF HOSPITAL)

5 (ADDRESS)

6 TO:..... (Name of Organization)

7 FROM:.....(Infection Control Coordinator)

8 DATE:.....

9 As required by Section 6.08 of the Illinois Hospital  
10 Licensing Act, .....(name of hospital) is hereby providing  
11 notification that the following crew members or agencies  
12 transported or provided pre-hospital care to a patient on .....  
13 (date), and the transported patient was later diagnosed as  
14 having .....(name of communicable disease): .....(list of crew  
15 members). The Hospital Licensing Act requires you to maintain  
16 this information as a confidential medical record. Disclosure  
17 of this information may therefore result in civil liability for  
18 the individual or company breaching the patient's  
19 confidentiality, or both.

20 If you have any questions regarding this patient, please  
21 contact me at .....(telephone number), between .....(hours).  
22 Questions regarding exposure or the financial aspects of  
23 obtaining medical care should be directed to your employer.

24 (e) Upon discharge of a patient with a communicable disease  
25 to emergency personnel, the hospital shall notify the emergency  
26 personnel of appropriate precautions against the communicable

1 disease, but shall not identify the name of the disease.

2 (f) The hospital may, in its discretion, take any measures  
3 in addition to those required in this Section to notify police  
4 officers, firefighters, emergency medical technicians, and  
5 ambulance personnel of possible exposure to any communicable  
6 disease. However, in all cases this information shall be  
7 maintained as a confidential medical record.

8 (g) Any person providing or failing to provide notification  
9 under the protocol required by this Section shall have immunity  
10 from any liability, either criminal or civil, that might result  
11 by reason of such action or inaction, unless such action or  
12 inaction is willful.

13 (h) Any person who willfully fails to provide any  
14 notification required pursuant to an applicable protocol which  
15 has been adopted and approved pursuant to this Section commits  
16 a petty offense, and shall be subject to a fine of \$200 for the  
17 first offense, and \$500 for a second or subsequent offense.

18 (i) Nothing in this Section shall preclude a civil action  
19 by a firefighter, emergency medical technician, or ambulance  
20 crew member against an emergency services provider agency,  
21 municipal fire department, or fire protection district that  
22 fails to inform the member in a timely fashion of the receipt  
23 of a notification letter.

24 (Source: P.A. 92-363, eff. 1-1-02.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".