

HB0563



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0563

Introduced 1/25/2013, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

210 ILCS 45/2-104.2

from Ch. 111 1/2, par. 4152-104.2

Amends the Nursing Home Care Act. Makes a technical change in a Section concerning do-not-resuscitate orders.

LRB098 03382 RPM 33397 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Nursing Home Care Act is amended by changing
5 Section 2-104.2 as follows:

6 (210 ILCS 45/2-104.2) (from Ch. 111 1/2, par. 4152-104.2)
7 Sec. 2-104.2. Do-Not-Resuscitate Orders.

8 (a) Every facility licensed under this Act shall establish
9 a policy for the ~~the~~ implementation of physician orders
10 limiting resuscitation such as those commonly referred to as
11 "Do-Not-Resuscitate" orders. This policy may only prescribe
12 the format, method of documentation and duration of any
13 physician orders limiting resuscitation. Any orders under this
14 policy shall be honored by the facility. The Department of
15 Public Health Uniform DNR Advance Directive or a copy of that
16 Advance Directive shall be honored by the facility.

17 (b) Within 30 days after admission, new residents who do
18 not have a guardian of the person or an executed power of
19 attorney for health care shall be provided with written notice,
20 in a form and manner provided by rule of the Department, of
21 their right to provide the name of one or more potential health
22 care surrogates that a treating physician should consider in
23 selecting a surrogate to act on the resident's behalf should

1 the resident lose decision-making capacity. The notice shall
2 include a form of declaration that may be utilized by the
3 resident to identify potential health care surrogates or by the
4 facility to document any inability or refusal to make such a
5 declaration. A signed copy of the resident's declaration of a
6 potential health care surrogate or decision to decline to make
7 such a declaration, or documentation by the facility of the
8 resident's inability to make such a declaration, shall be
9 placed in the resident's clinical record and shall satisfy the
10 facility's obligation under this Section. Such a declaration
11 shall be used only for informational purposes in the selection
12 of a surrogate pursuant to the Health Care Surrogate Act. A
13 facility that complies with this Section is not liable to any
14 healthcare provider, resident, or resident's representative or
15 any other person relating to the identification or selection of
16 a surrogate or potential health care surrogate.

17 (Source: P.A. 96-448, eff. 1-1-10.)