

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 Ambulatory Surgical Treatment Center Act is  
5 amended by changing Section 3 and by adding Section 6.8 as  
6 follows:

7 (210 ILCS 5/3) (from Ch. 111 1/2, par. 157-8.3)

8 Sec. 3. As used in this Act, unless the context otherwise  
9 requires, the following words and phrases shall have the  
10 meanings ascribed to them:

11 (A) "Ambulatory surgical treatment center" means any  
12 institution, place or building devoted primarily to the  
13 maintenance and operation of facilities for the performance of  
14 surgical procedures. "Ambulatory surgical treatment center"  
15 includes any place that meets and complies with the definition  
16 of an ambulatory surgical treatment center under the rules  
17 adopted by the Department or any facility in which a medical or  
18 surgical procedure is utilized to terminate a pregnancy,  
19 irrespective of whether the facility is devoted primarily to  
20 this purpose. Such facility shall not provide beds or other  
21 accommodations for the overnight stay of patients; however,  
22 facilities devoted exclusively to the treatment of children may  
23 provide accommodations and beds for their patients for up to 23

1 hours following admission. Individual patients shall be  
2 discharged in an ambulatory condition without danger to the  
3 continued well being of the patients or shall be transferred to  
4 a hospital.

5 The term "ambulatory surgical treatment center" does not  
6 include any of the following:

7 (1) Any institution, place, building or agency  
8 required to be licensed pursuant to the "Hospital Licensing  
9 Act", approved July 1, 1953, as amended.

10 (2) Any person or institution required to be licensed  
11 pursuant to the Nursing Home Care Act, the Specialized  
12 Mental Health Rehabilitation Act, or the ID/DD Community  
13 Care Act.

14 (3) Hospitals or ambulatory surgical treatment centers  
15 maintained by the State or any department or agency  
16 thereof, where such department or agency has authority  
17 under law to establish and enforce standards for the  
18 hospitals or ambulatory surgical treatment centers under  
19 its management and control.

20 (4) Hospitals or ambulatory surgical treatment centers  
21 maintained by the Federal Government or agencies thereof.

22 (5) Any place, agency, clinic, or practice, public or  
23 private, whether organized for profit or not, devoted  
24 exclusively to the performance of dental or oral surgical  
25 procedures.

26 (B) "Person" means any individual, firm, partnership,

1 corporation, company, association, or joint stock association,  
2 or the legal successor thereof.

3 (C) "Department" means the Department of Public Health of  
4 the State of Illinois.

5 (D) "Director" means the Director of the Department of  
6 Public Health of the State of Illinois.

7 (E) "Physician" means a person licensed to practice  
8 medicine in all of its branches in the State of Illinois.

9 (F) "Dentist" means a person licensed to practice dentistry  
10 under the Illinois Dental Practice Act.

11 (G) "Podiatric physician" means a person licensed to  
12 practice podiatry under the Podiatric Medical Practice Act of  
13 1987.

14 (Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813,  
15 eff. 7-13-12; 98-214, eff. 8-9-13.)

16 (210 ILCS 5/6.8 new)

17 Sec. 6.8. Agreements with the federal Centers for Medicare  
18 and Medicaid Services. An ambulatory surgical treatment center  
19 that elects to have an agreement with the federal Centers for  
20 Medicare and Medicaid Services, as provided in 42 CFR 416, must  
21 also meet the Medicare conditions as an ambulatory surgical  
22 center, as set forth in 42 CFR 416, and have an active  
23 agreement with the federal Centers for Medicare and Medicaid  
24 Services to participate in Medicare as an ambulatory surgical  
25 center provider in Illinois.