



1           (3) Over-utilization of hospital emergency  
2 departments contributes to excess medical and health  
3 insurance costs.

4           (4) Prompt care facilities are a growing  
5 alternative to hospital emergency departments.

6           (5) The use of the term "urgent" or "emerg-i-" or a  
7 similar term in a prompt care facility's posted or  
8 advertised name may confuse the public and prospective  
9 patients regarding the type of services offered relative  
10 to those provided by a hospital emergency department.  
11 There is significant risk to the public health and safety  
12 if persons requiring treatment for a critical or  
13 life-threatening condition inappropriately use prompt  
14 care facilities.

15           (6) To control costs and ensure more appropriate  
16 use of the health care delivery system, some managed care  
17 entities and other health insurers require use of  
18 alternative health care facilities such as prompt care  
19 facilities for certain non-critical medical emergencies.  
20 Enrollees are not always sure about the policies and  
21 procedures that must be followed in the use of such  
22 facilities, especially the standards that will  
23 differentiate between use of these facilities and a  
24 hospital emergency department.

25           (7) There is a need to more clearly define the role  
26 and function of prompt care facilities in the health care  
27 delivery system, and to more effectively educate health  
28 care payers and consumers about the most appropriate use  
29 of prompt care facilities.

30           (b) The purpose of this Act is to define the role and  
31 function of prompt care facilities, require the registration  
32 of such facilities, and require public education regarding  
33 the appropriate use of such facilities.

1 Section 10. Definitions. For the purposes of this Act:

2 "Department" means the Department of Public Health.

3 "Prompt care facility" means an outpatient treatment  
4 center that (i) advertises or provides unscheduled health  
5 care services and (ii) uses or advertises a facility with the  
6 term "urgent care center", "emerggi-center", or "prompt care  
7 center" or gives the impression to the public that it  
8 provides health care services for conditions requiring  
9 immediate, urgent, or emergency care, as defined by the  
10 Department.

11 "Prompt care facility" does not include any of the  
12 following:

13 (i) A medical facility that is licensed under the  
14 Hospital Licensing Act or the Ambulatory Surgical  
15 Treatment Center Act or any other health care institution  
16 licensed under the laws of the State of Illinois.

17 (ii) Dispensaries and first aid stations located  
18 within business or industrial establishments maintained  
19 solely for the use of employees.

20 (iii) Adult foster care homes.

21 (iv) Places where 4 or fewer adults receive adult  
22 day health services.

23 (v) Places at which persons receive health-related  
24 services only from relatives or legal guardians.

25 (vi) The personal residence of a terminally ill  
26 person or the personal residence of that person's  
27 relative or guardian, where that person receives hospice  
28 services.

29 (vii) All medical and health-related facilities and  
30 services that are provided to inmates in a state prison.

31 (viii) A physician office or clinic that does not  
32 advertise using the term "urgent care center",  
33 "emerggi-center", or "prompt care center" or give the  
34 impression to the public that it provides health care

1 services for conditions requiring immediate, urgent, or  
2 emergency care, as defined by the Department.

3 Section 15. Registration requirement. Beginning January  
4 1, 2004, no person shall establish, conduct, or maintain a  
5 prompt care facility without first being registered with the  
6 Department.

7 Section 20. Ownership of prompt care facility. No  
8 person or entity may own a prompt care facility other than a  
9 licensed hospital, a hospital affiliate as defined under the  
10 Hospital Licensing Act, an individual licensed physician, a  
11 group of licensed physicians, or any combination thereof.

12 Section 25. Referral and emergency transportation plans.  
13 As a condition of registration, each prompt care facility  
14 must develop and implement referral and emergency  
15 transportation plans for use in critical medical  
16 emergencies. These plans shall include policies and  
17 procedures for accessing the emergency medical services  
18 system, including the use of ambulances and paramedic  
19 personnel for transporting patients to the facility and from  
20 the facility to hospital emergency departments, when  
21 necessary. All policies and procedures shall be approved by  
22 a physician licensed to practice medicine in all its branches  
23 or the facility medical director.

24 Section 30. Educating the public. Prompt care  
25 facilities must educate the public and prospective patients  
26 about the categories or types of services available at prompt  
27 care facilities and their appropriate use.

28 Section 35. Rules. The Department shall adopt rules for  
29 the implementation of this Act, including rules concerning

1 registration fees, penalties for noncompliance, and the  
2 suspension or termination of operation of facilities that are  
3 not registered. The Department shall adopt rules regulating  
4 the use of the term "urgent" or "emergi-" or a similar term  
5 in a prompt care facility's posted or advertised name so as  
6 to minimize, to the extent practicable, the likelihood of  
7 confusion regarding the type of services provided by a prompt  
8 care facility relative to those of a hospital emergency  
9 department.

10 Section 90. The Department of Public Health Powers and  
11 Duties Law of the Civil Administrative Code of Illinois is  
12 amended by adding Section 2310-543 as follows:

13 (20 ILCS 2310/2310-543 new)

14 Sec. 2310-543. Prompt care facilities.

15 (a) The Department must define the categories or types  
16 of health care services available at prompt care facilities  
17 registered pursuant to the Prompt Care Facility Registration  
18 Act.

19 (b) The Department must educate the public and  
20 prospective patients about the categories or types of health  
21 care services available at prompt care facilities and their  
22 appropriate use.

23 (c) The Department must compile data regarding the  
24 utilization of prompt care facilities and report its findings  
25 regarding their function and impact on the health delivery  
26 system and health care costs to the Governor and the General  
27 Assembly every 2 years on or before January 1.

28 Section 95. The Managed Care Reform and Patient Rights  
29 Act is amended by adding Section 43 as follows:

30 (215 ILCS 134/43 new)

1       Sec. 43. Prompt care facilities.

2       (a) A health care plan must ensure that its enrollees  
3 are clearly informed about their rights and responsibilities  
4 in obtaining referrals to and making appropriate use of  
5 prompt care facilities.

6       (b) A health care plan must review the performance of  
7 and re-credential prompt care facilities at least once every  
8 3 years.

9       (c) Nothing in this Section is intended to affect the  
10 rights of enrollees or relieve a health care plan of its  
11 responsibilities with respect to the provision of and  
12 coverage of emergency services or treatment of an emergency  
13 medical condition, as those terms are defined by this Act,  
14 and as those responsibilities and rights are otherwise  
15 provided under this Act, especially Section 65 of this Act.

16       (d) For the purposes of this Section, "prompt care  
17 facility" has the meaning given to that term in the Prompt  
18 Care Facility Registration Act.

19       Section 999. Effective date. This Act takes effect upon  
20 becoming law."