



Weekly Legislative Report

ILLINOIS RADIOLOGICAL SOCIETY

By: Jessica Nardulli & Tom Ryder

April 16, 2018

Attached is a shorter list of bills. Those bills that failed to pass out of committee before the April 13 committee deadline have been removed - for now. The General Assembly can revive a bill they deem worthy, and many bills will likely receive an extended deadline. We are still watching them.

Two weeks remain to pass the rest of these bills out of their house of origin. Long hours will be devoted to presenting bills, asking questions, and floor debate – which is then followed by a vote. If a bill needs additional work, the sponsor may draft an amendment which may need to be sent to committee which causes the committee to have another hearing or the amendment may be sent straight to the floor for a vote by the entire chamber.

April 27, the next deadline (and the half way point in the spring session), again reduces the number of bills under consideration. Legislation must pass out of the chamber of origin prior to the deadline. After that, Senate bills passed out of the Senate will be heard in House committees and vice versa.

None of this process includes the giant issue of the budget. While appropriation committees hear testimony from executive agencies and departments, the real question is will we have a budget approved by the General Assembly by the adjournment date of May 31. That is an entirely different process, most of which is behind closed doors.

ILLINOIS RADIOLOGICAL SOCIETY

[HB 4383](#) [MCO-DISENROLLMENT REQUIREMENTS](#) Sponsor Rep. Sara Feigenholtz; Sen. Heather Steans

Synopsis As Introduced

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that disenrollment of a Medicaid enrollee from a managed care organization under contract with the Department of Healthcare and Family Services shall be in accordance with specified federal requirements whenever a contract is terminated between a Medicaid managed care health plan and a primary care provider that results in a disruption to the Medicaid enrollee's provider-beneficiary relationship. Effective immediately.

Last Action

Date	Chamber	Action
3/9/2018	Senate	Referred to Assignments

[HB 4392](#) [IDPH-MAMMOGRAPHY INFORMATION](#) Sponsor Rep. Michael P. McAuliffe

***The Mammography Committee is working closely with Rep. McAuliffe. The amended language for HB 4392 mirrors the amendment language for SB 2442.**

Synopsis As Introduced

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall require every provider of mammography services to, if a patient's mammogram demonstrates dense breast tissue, provide notification to the patient in any summary of the mammography report sent to the patient pursuant to the federal Mammography Quality Standards Act that shall include, but not be limited to, certain information.

House Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Provides that if a patient's mammogram demonstrates dense breast tissue, the Department of Public Health shall require every provider of mammography services to include (rather than the Department shall require every provider of mammography services to, if a patient's mammogram demonstrates dense breast tissue, provide notification to the patient) in any summary of the mammography report sent to the patient in accordance with (rather than pursuant to) the federal Mammography Quality Standards Act a specified notice (rather than that shall include, but not be limited to, certain information). Makes changes to the language of the required notice (formerly, information). Provides that a facility that performs mammography may update the language in the specified notice to reflect advances in science and technology, as long as it continues to notify patients about dense breast tissue and its effect on the accuracy of mammograms and encourage patients to discuss the issue with their health care provider. Provides that these provisions do not create a duty of care or other legal obligation beyond the duty to provide notice as set forth in these provisions. Makes other changes.

KEY

LEGISLATION

- HB 4392: McAuliffe – Dense Breast Inform
- SB 2442: Mulroe – Dense Breast Inform

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 4515](#) [PHYSICIAN-DISCIPLINE EXEMPTION](#)

Sponsor Rep. Daniel Swanson

Synopsis As Introduced

Amends the Medical Practice Act of 1987. Exempts physicians from disciplinary action by the Department of Financial and Professional Regulation based solely upon the licensee's recommendation or provision of a treatment method for Lyme disease or other tick-borne disease if specified criteria are met. Effective immediately.

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 4643](#) [PHYSICAL THERAPY-DIAGNOSIS](#)

Sponsor Rep. Daniel J. Burke

Synopsis As Introduced

Amends the Illinois Physical Therapy Act. Provides that the limitation on determining a differential diagnosis shall not in any manner limit a physical therapist from establishing a relevant diagnosis. In the definition of "documented current and relevant diagnosis" and in provisions concerning disciplinary actions, removes language requiring a diagnosis to be substantiated by a physician, dentist, advanced practice registered nurse, physician assistant, or podiatric physician. Effective immediately.

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 4848](#) [VETERANS-MEDICAL RECORD COPIES](#)

Sponsor Rep. Daniel Swanson

Synopsis As Introduced

Amends the Code of Civil Procedure. Provides that notwithstanding any other provision of the law in recognition of service provided, a health care facility or health care practitioner shall provide without charge one complete copy of a patient's records if: (1) the patient is an indigent homeless veteran; and (2) the records are being requested by the patient or a person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, for the purpose of supporting a claim for federal veterans' disability benefits.

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 4892](#) [HEALTH FACILITIES PLANNING ACT](#)

Sponsor Rep. William Davis

Synopsis As Introduced

Amends the Illinois Health Facilities Planning Act. Provides that the Health Facilities and Services Review Board may approve the transfer of an existing permit without regard to whether the permit to be transferred has yet been financially committed, except for permits to establish a new facility or category of service. Provides requirements for the reporting of financial commitments by permit holders. Removes existing provisions regarding annual reporting by permit holders. Removes provisions concerning major construction projects. Modifies provisions regarding the application for permits or exemptions, and exemption regulations. Modifies provisions regarding the approval of a permit application. Modifies the powers and duties of the Board and Board staff. Makes changes regarding the revision of criteria, standards, and rules; the giving of written notice of the reduction in hospital service; and issues concerning bed inventory. Makes specified provisions concerning fines for permit holders also apply to exemption holders under the Act. Makes conforming and other changes. Effective immediately.

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 4953](#) [DFPR-SEXUAL HARASSMNT TRAINING](#)

Sponsor Rep. Michael P. McAuliffe

Synopsis As Introduced

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that the Department of Financial and Professional Regulation shall require each new applicant complete a sexual harassment training program provided by the Department and each licensee complete a sexual harassment training program provided by the Department before renewal of his or her license. Contains minimum requirements for the content of the training. Provides that the Department shall compile a report annually that summarizes the sexual harassment training program that was completed during the previous year and prescribes the plan for the training program in the coming year and includes a list of individuals who failed to complete the required training program. Requires the Department to make the report available on its website. Effective immediately.

Last Action

Date	Chamber	Action
4/11/2018	House	Placed on Calendar 2nd Reading - Short Debate

[HB 5070](#) [TELEHEALTH-DEFINITION](#)

Sponsor Rep. Patricia R. Bellock

Synopsis As Introduced

Amends the Telehealth Act. Includes clinicians licensed to provide medical services under Illinois law in the definition of "health care professional".

House Floor Amendment No. 1

Provides that "health care professional" includes dentists, occupational therapists, pharmacists, physical therapists, clinical social workers, speech-language pathologists, audiologists, and hearing instrument dispensers (rather than any clinician licensed to provided medical services under Illinois law). Changes a reference to "advanced practice nurses" to "advanced practice registered nurses".

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar Order of 3rd Reading - Short Debate

HB 5097 [DFPR LICENSE-NON-CITIZENS](#)

Sponsor Rep. Elizabeth Hernandez

Synopsis As Introduced

Amends the Department of Professional Regulation Law. Provides that the Department of Financial and Professional Regulation shall not prohibit a person from receiving a license solely because the person is not a citizen of the United States. Provides that the Department may grant a license to a person who satisfies specific requirements regarding immigration status and fulfills other necessary requirements to obtain a license. Effective immediately.

Last Action

Date	Chamber	Action
4/11/2018	House	Placed on Calendar 2nd Reading - Standard Debate

HB 5482 [DFPR LICENSURE-IMMIGRATION](#)

Sponsor Rep. Will Guzzardi

Synopsis As Introduced

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that the Department of Financial and Professional Regulation shall allow an applicant to provide his or her individual taxpayer identification number as an alternative to provide a social security number when applying for a license. Provides that no applicant shall be denied a license solely based on his or her immigration status or citizenship status. Makes conforming changes in the School Code, Pharmacy Practice Act, and the Attorney Act. Makes other changes.

House Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: In the School Boards Article of the School Code, provides that nothing in the provisions concerning qualifications of educators shall be construed to grant eligibility for obtaining any public benefit other than a license issued under the Article (rather than a professional license issued by the Department). Makes grammatical and formatting changes.

Last Action

Date	Chamber	Action
4/10/2018	House	Placed on Calendar 2nd Reading - Short Debate

HB 5520 [SERVICE MEMBER-EXPEDITED LIC](#)

Sponsor Rep. LaToya Greenwood

Synopsis As Introduced

Amends the Departments of State Government Law. Provides that expedited temporary occupational or professional licenses issued to service members and the spouses of service members meeting specified requirements shall be valid for 3 years (currently, valid 6 months) after the date of issuance or until a license is granted or a notice to deny a license is issued in accordance with rules adopted by the department issuing the license, whichever occurs first. Provides that the required fee paid in the application process for an expedited temporary occupational or professional license issued to service members and the spouses of service members shall be refundable (currently, not refundable).

Last Action

Date	Chamber	Action
4/11/2018	House	Placed on Calendar 2nd Reading - Short Debate

Senate Floor Amendment No. 1

Amends the Nurse Practice Act. Provides that "registered professional nursing practice" includes the administration of medications and treatments prescribed by a physician, dentist, podiatric physician, licensed optometrist, physician assistant, or advanced practice registered nurse. Defines "task" and "selected nursing task". Prohibits an unlicensed person who has been delegated a task by a registered professional nurse from re-delegating that task. Provides that a register nurse's scope of practice includes delegating tasks and selected nursing tasks to implement the plan of care. Sets a repeal date for provisions regarding the Medication Aide Pilot Program of June 30, 2019. Makes other changes.

Last Action

Date	Chamber	Action
2/27/2018	Senate	Placed on Calendar Order of 3rd Reading February 28, 2018

Synopsis As Introduced

Amends the Medical Assistance Article of the Illinois Public Aid Code. In a provision permitting a nursing facility to appeal a change in its Minimum Data Set rate, provides that the facility shall be permitted to offer any and all additional documentation during the appeal hearing that is necessary to refute the State's findings (rather than the facility may not offer any additional documentation during the appeal hearing, but may identify documentation provided during the on-site review that may support a specific area of documentation deemed deficient by the Department of Healthcare and Family Services).

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. In provisions concerning payments to nursing facilities, provides that the Department of Healthcare and Family Services shall provide an update on the status of payments from both the General Revenue Fund and the Long-Term Care Provider Fund for expedited and non-expedited facilities by schedule. Provides that the Department may provide the information monthly electronically, post it on the Department's website, or provide it upon request in compliance with this requirement. Effective immediately.

House Committee Amendment No. 3

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning the purpose of the Medical Assistance Article.

House Floor Amendment No. 8

Replaces everything after the enacting clause. Amends the Illinois Health Facilities Planning Act. Expands the definition of health care facility to include any project the Department of Healthcare and Family Services certifies was approved by the Hospital Transformation Review Committee as a project subject to the hospital's transformation as provided under the Illinois Public Aid Code. Amends the Emergency Medical Services (EMS) Systems Act. Requires the Department of Public Health to issue an annual freestanding emergency center license to certain facilities. Amends the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to establish a cost-based reimbursement methodology for determining payments to hospitals for approved graduate medical education programs for dates of service on and after July 1, 2018. Contains provisions concerning an amendment to the Illinois Title XIX State Plan defining graduate medical education (GME); GME payments to hospitals including such costs in support of clients enrolled in Medicaid managed care entities; and a requirement that the Department take all actions necessary for reimbursement to be effective for dates of service on and after July 1, 2018. Defines terms and grants the Department emergency rulemaking authority. Extends the time period under which certain hospitals shall be designated a safety-net hospital. Contains provisions concerning: hospital assessments for State fiscal years 2019 through 2024; a requirement

that certain hospital assessments be paid in monthly installments; hospital assessments for hospital providers that did not conduct, operate, or maintain a hospital in the year that is the basis of the calculation of the assessment; disbursements from the Hospital Provider Fund for State fiscal years 2019 through 2024; the continuation of hospital access payments on or after July 1, 2018; rate increase-based adjustments; the calculation of graduate medical education payments; Alzheimer's treatment access payments; safety-net hospital, private critical access hospital, and outpatient high volume access payments; Medicaid dependent or high volume hospital access payments; trauma care access payments; long-term acute care access payments; small public hospital access payments; psychiatric care access payments; emergency rules to implement the hospital access payments; increase capitation payments to capitated managed care organizations; and other matters. Extends the repeal date of certain assessments on inpatient and outpatient services to July 1, 2020 (rather than July 1, 2018). Requires the Department to preserve payment methodologies for certain hospital assessments pending federal approval of changes made under the amendatory Act to those hospital assessments. Contains provisions concerning reimbursement for inpatient psychiatric services beginning July 1, 2020; reimbursement increases for inpatient rehabilitation services; add-on payments for outpatient expensive devices and drugs; and other matters. Requires the Department, in conjunction with the Hospital Transformation Review Committee, to develop a hospital transformation program to provide financial assistance to hospitals in transforming their services and care models to better align with the needs of the communities they serve. Provides that the Hospital Transformation Review Committee shall consist of 14 appointed members and that 9 of the 14 committee members must first approve any rule adopted to implement the hospital transformation program before the rule is submitted to the Joint Committee on Administrative Rules. Requires the Department to develop reimbursement methodologies to recognize the importance of out-of-state hospitals located in states that border Illinois and provide access to specialty hospital services, with some exceptions. Makes other changes. Effective immediately, but the Act does not take effect at all unless Senate Bill 1573 of the 100th General Assembly, as amended, becomes law.

House Floor Amendment No. 9

In a provision concerning the composition of the Hospital Transformation Review Committee, provides that the Chair and Vice-Chair (rather than the Chair and Co-Chair) cannot be appointed by the same appointing authority and must be from different political parties.

Last Action

Date	Chamber	Action
3/12/2018	Senate	Public Act 100-0581

[SB 2332](#) [TOBACCO PRODUCTS-UNDER 21](#)

Sponsor Sen. Julie A. Morrison

Synopsis As Introduced

Amends the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act. Changes the name of the Act to the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act. Raises the age for whom tobacco products, electronic cigarettes, and alternative nicotine products may be sold from at least 18 years of age to at least 21 years of age. Eliminates the penalty for possession of a cigar, cigarette, smokeless tobacco, or tobacco in any of its forms by persons under 18 years of age. Defines "electronic cigarette". Repeals the Smokeless Tobacco Limitation Act. Amends various other Acts to make conforming changes.

Senate Floor Amendment No. 1

Makes it a Class A misdemeanor for a person who is under 21 years of age (formerly 18) in the furtherance or facilitation of obtaining any tobacco product to display or use a false or forged identification card or to transfer, alter, or deface an identification card. Makes other technical changes.

Last Action

Date	Chamber	Action
2/20/2018	Senate	Placed on Calendar Order of 3rd Reading February 21, 2018

Synopsis As Introduced

Amends various acts to remove provisions allowing or requiring licensing authorities to revoke professional licenses for defaulting on an educational loan provided by or guaranteed by the Illinois Student Assistance Commission. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the introduced bill with the following changes: Creates the Career Preservation and Student Loan Repayment Act. Provides that no governmental agency or board established under a statute of this State may impose or refer a matter to any other governmental agency to impose a denial, refusal to renew, suspension, revocation, or other disciplinary action against a professional or occupational licensee for his or her delinquency, default, or other failure to perform on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission. Amends the Nursing Education Scholarship Law, the Illinois Athletic Trainers Practice Act, and the Illinois Roofing Industry Licensing Act to remove provisions allowing or requiring licensing authorities to revoke professional licenses for defaulting on an educational loan provided by or guaranteed by the Commission. Effective immediately.

Last Action

Date	Chamber	Action
3/1/2018	Senate	Placed on Calendar Order of 2nd Reading March 13, 2018

***The Mammography Committee is working closely with Senator Mulroe. The amended language for SB 2442 mirrors the amendment language for HB 4392.**

Synopsis As Introduced

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall require every provider of mammography services to, if a patient's mammogram demonstrates dense breast tissue, provide notification to the patient in any summary of the mammography report sent to the patient pursuant to the federal Mammography Quality Standards Act that shall include, but not be limited to, certain information.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Provides that if a patient's mammogram demonstrates dense breast tissue, the Department of Public Health shall require every provider of mammography services to include (rather than the Department shall require every provider of mammography services to, if a patient's mammogram demonstrates dense breast tissue, provide notification to the patient) in any summary of the mammography report sent to the patient in accordance with (rather than pursuant to) the federal Mammography Quality Standards Act a specified notice (rather than that shall include, but not be limited to, certain information). Makes changes to the language of the required notice (formerly, information). Provides that a facility that performs mammography may update the language in the specified notice to reflect advances in science and technology, as long as it continues to notify patients about dense breast tissue and its effect on the accuracy of mammograms and encourage patients to discuss the issue with their health care provider. Provides that these provisions do not create a duty of care or other legal obligation beyond the duty to provide notice as set forth in these provisions. Makes other changes.

Last Action

Date	Chamber	Action
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3/14/2018	Senate	Placed on Calendar Order of 2nd Reading April 10, 2018
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[SB 2653](#) [PROF REG-STUDENT LOAN DEFAULT](#)

Sponsor Sen. Michael Connelly

Synopsis As Introduced

Amends various acts to remove provisions allowing or requiring licensing authorities to deny, not renew, suspend, or revoke professional licenses for defaulting on an educational loan or scholarship provided by or guaranteed by a State agency. Effective immediately.

Last Action

Date	Chamber	Action
3/1/2018	Senate	Assigned to Licensed Activities and Pensions

[SB 2904](#) [PHYSICIAN ASSISTANT-VARIOUS](#)

Sponsor Sen. Heather A. Steans

Synopsis As Introduced

Amends the Physician Assistant Practice Act of 1987. Removes language providing that a collaborating physician may collaborate with a maximum of 5 full-time equivalent physician assistants. Amends the Medical Practice Act of 1987, removes language providing that a physician licensed to practice medicine in all its branches may enter into collaborative agreements with no more than 5 full-time equivalent physician assistants except in a hospital, hospital affiliate, or ambulatory surgical treatment center.

Last Action

Date	Chamber	Action
4/10/2018	Senate	Placed on Calendar Order of 3rd Reading April 11, 2018

[SB 3018](#) [PROF REG-MEDICAL LICENSE](#)

Sponsor Sen. Emil Jones, III

Committee Hearing: Licensed Activities and Pensions Hearing Apr 18 2018 3:00PM Capitol 400 Springfield, IL

Synopsis As Introduced

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that disclosure by the Department of Financial and Professional Regulation of a medical license number of a physician licensed under the Medical Practice Act of 1987 shall be prohibited.

Last Action

Date	Chamber	Action
2/21/2018	Senate	Assigned to Licensed Activities and Pensions

[SB 3255](#) [EMS PERSONNEL-PHYSICIAN ASSIST](#)

Sponsor Sen. Chapin Rose

Synopsis As Introduced

Amends the Emergency Medical Services (EMS) Systems Act. Defines "Pre-Hospital Physician Assistant" or "PHPA". Includes Pre-Hospital Physician Assistants in the definition of "Emergency Medical Services Personnel". Adds PHPAs to provisions concerning licensing and educational requirements. Provides than an EMS Medical

Director may immediately suspend a PHPA for specified reasons. Adds a PHPA to the State Emergency Medical Services Disciplinary Review Board. Adds PHPAs to provisions concerning misrepresentation. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Defines "Pre-Hospital Advanced Practice Registered Nurse" or "PHAPRN". Includes Pre-Hospital Advanced Practice Registered Nurse in the definition of "Emergency Medical Services Personnel". Adds PHAPRNs to provisions concerning licensing and educational requirements. Provides that an EMS Medical Director may immediately suspend a PHAPRN for specified reasons. Adds a PHAPRN to the State Emergency Medical Services Disciplinary Review Board. Adds PHAPRNs to provisions concerning misrepresentation. Adds Pre-Hospital Registered Nurses, Pre-Hospital Physician Assistants, and Pre-Hospital Advanced Practice Registered Nurses to provisions concerning scope of practice and relicensing. Adds Pre-Hospital Physician Assistants and Pre-Hospital Advanced Practice Registered Nurses to provisions concerning ambulance service providers and vehicle service provider upgrades and rural populations. Effective one year after becoming law (rather than immediately).

Last Action

Date	Chamber	Action
4/12/2018	Senate	Placed on Calendar Order of 2nd Reading April 17, 2018

HR 971 BEST ACT-DHS IMPLEMENTATION

Sponsor Rep. Robyn Gabel

Synopsis As Introduced

Urges the Governor and the Department of Healthcare and Family Services to contract with an external expert entity that has prior experience collecting statewide mammography quality data to perform the Department's quality improvement program and to provide each participating facility with a mammography quality report annually. Urges the Department of Healthcare and Family Services to contract with an external expert entity that has prior experience collecting breast cancer treatment data from safety net providers in Illinois and is a federally designated Patient Safety and Quality Improvement Organization. Urges the Department of Healthcare and Family Services to immediately implement all other components of the BEST Act and to work with breast cancer advocates and breast cancer clinical experts to ensure that the Illinois Medicaid program provides the highest quality breast cancer screening and treatment to women served by Illinois Medicaid.

Last Action

Date	Chamber	Action
4/11/2018	House	Referred to Rules Committee

SR 1595 CANCER SCREEN WEEK

Sponsor Sen. Omar Aquino

Synopsis As Introduced

Urges all citizens to visit cancerscreenweek.org for cancer screening resources and talk to their healthcare providers about their risk factors for all cancer types including, but not limited to, breast, cervical, colon, lung, prostate, and skin cancers and recommended screening options. Declares the first week of December of 2018 as "Cancer Screen Week".

Last Action

Date	Chamber	Action
4/12/2018	Senate	Referred to Assignments