

June 8, 2023

**ILLINOIS HEALTH AND HOSPITAL ASSOCIATION  
M E M O R A N D U M**

**SUBJECT:** Proposed Amendments to the Sexual Assault Survivors Emergency Treatment Code – Comments Due July 17

The Illinois Dept. of Public Health (IDPH) has proposed amendments to the Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545) implementing [Public Act \(PA\) 102-1106](#) (June 2 *Illinois Register*, pages 7235-7269). The proposed amendments would codify recent statutory changes under the [Sexual Assault Survivors Emergency Treatment Act](#).

**Submission of Sexual Assault Survivor Transfer/Treatment Plans to IDPH**

Beginning Jan. 1, 2024, hospitals must submit a plan to IDPH to provide either:

- Transfer services to all sexual assault survivors;
- Medical forensic services to all sexual assault survivors; or
- Transfer services to pediatric sexual assault survivors and medical forensic services to sexual assault survivors 13 years old or older within 60 days after a request from IDPH.

Failure to submit a plan will impose a fine of up to \$500 per day on the hospital until the hospital submits an appropriate plan. IDPH will review received plans and will notify the hospital as to whether or not it is acceptable. If IDPH determines the plan is unacceptable, the hospital must submit a modified plan within 10 days after the notification is served.

The \$500 per day fine will also be imposed if a hospital submits two successive plans of correction that are rejected by IDPH.

Through IHA's advocacy efforts, PA 102-1106 postponed the fine for not having an approved sexual assault treatment or transfer plan in place until Jan. 1, 2024, which was initially set to go into effect Jan. 1, 2023.

**Submitting Comments**

Hospitals interested in submitting comments on this proposed rulemaking may be made through **July 17** by contacting:

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[Contact us](#) with questions.