

AN ACT concerning regulation.

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

Section 5. The Hospital Licensing Act is amended by changing Section 6.26 as follows:

(210 ILCS 85/6.26)

Sec. 6.26. Immunization against influenza virus and pneumococcal disease.

(a) Every hospital shall adopt an influenza and pneumococcal immunization policy that includes, but need not be limited to, the following:

(1) Procedures for identifying patients eligible age ~~50 or older~~ for influenza and immunization ~~and 65 or older~~ ~~for pneumococcal immunization and, at the discretion of the facility, other patients at risk.~~

(2) Procedures for offering immunization against influenza virus when available between September 1 and April 1 of the subsequent year, or as indicated by the Department if the flu season varies significantly from those dates, and against pneumococcal disease upon admission or discharge, to patients in accordance with the recommendations of the State Guidelines for Communicable Disease Prevention issued by the Director of Public Health

pursuant to Section 1.2 of the Communicable Disease Prevention Act or the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless contraindicated.

(3) Procedures for ensuring that patients offered immunization, or their guardians, receive information regarding the risks and benefits of vaccination.

The hospital shall provide a copy of its influenza and pneumococcal immunization policy to the Department upon request.

If the State Guidelines for Communicable Disease Prevention and the guidance from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention are in conflict, the State Guidelines for Communicable Disease Prevention shall control where the applicable guidance from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention significantly deviates from evidence-based immunization practices established by credible scientific and medical communities, experts, and practitioners.

(b) A home rule unit may not regulate immunization against influenza virus and pneumococcal disease in a manner inconsistent with the regulation of such immunizations under this Section. This subsection is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on

Public Act 104-0729

SB3487 Enrolled

LRB104 16787 BAB 30196 b

the concurrent exercise by home rule units of powers and
functions exercised by the State.

(Source: P.A. 103-57, eff. 1-1-24.)