

Medical Patient Rights Act

Rights of Women with Regard to Pregnancy and Childbirth

Public Act 101-0445 • HB0002 Enrolled • LRB101 03317 RPS 48325 b



AN ACT concerning health.

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

Section 5. The Medical Patient Rights Act is amended by adding Section 3.4 as follows:

(410 ILCS 50/3.4 new)

Sec. 3.4. Rights of women; pregnancy and childbirth.

(a) In addition to any other right provided under this Act, every woman has the following rights with regard to pregnancy and childbirth:

- (1) The right to receive health care before, during, and after pregnancy and childbirth.
- (2) The right to receive care for her and her infant that is consistent with generally accepted medical standards.
- (3) The right to choose a certified nurse midwife or physician as her maternity care professional.
- (4) The right to choose her birth setting from the full range of birthing options available in her community.
- (5) The right to leave her maternity care professional and select another if she becomes dissatisfied with her care, except as otherwise provided by law.
- (6) The right to receive information about the names of those health care professionals involved in her care.
- (7) The right to privacy and confidentiality of records, except as provided by law.
- (8) The right to receive information concerning her condition and proposed treatment, including methods of relieving pain.
- (9) The right to accept or refuse any treatment, to the extent medically possible.
- (10) The right to be informed if her caregivers wish to enroll her or her infant in a research study in accordance with Section 3.1 of this Act.
- (11) The right to access her medical records in accordance with Section 8-2001 of the Code of Civil Procedure.
- (12) The right to receive information in a language in which she can communicate in accordance with federal law.
- (13) The right to receive emotional and physical support during labor and birth.
- (14) The right to freedom of movement during labor and to give birth in the position of her choice, within generally accepted medical standards.
- (15) The right to contact with her newborn, except where necessary care must be provided to the mother or infant.
- (16) The right to receive information about breastfeeding.
- (17) The right to decide collaboratively with caregivers when she and her baby will leave the birth site for home, based on their conditions and circumstances.
- (18) The right to be treated with respect at all times before, during, and after pregnancy by her health care professionals.
- (19) The right of each patient, regardless of source of payment, to examine and receive a reasonable explanation of her total bill for services rendered by her maternity care professional or health care provider, including itemized charges for specific services received. Each maternity care professional or health care provider shall be responsible only for a reasonable explanation of those specific services provided by the maternity care professional or health care provider.

- (b) The Department of Public Health, Department of Health-care and Family Services, Department of Children and Family Services, and Department of Human Services shall post information about these rights on their publicly available websites. Every health care provider, day care center licensed under the Child Care Act of 1969, Head Start, and community center shall post information about these rights in a prominent place and on their websites, if applicable.
- (c) The Department of Public Health shall adopt rules to implement this Section.
- (d) Nothing in this Section or any rules adopted under subsection (c) shall be construed to require a physician, health care professional, hospital, hospital affiliate, or health care provider to provide care inconsistent with generally accepted medical standards or available capabilities or resources.

Section 99. Effective date. This Act takes effect January 1, 2020.

Effective Date: 1/1/2020