

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Hospital Licensing Requirements
- 2) Code Citation: 77 Ill. Adm. Code 250
- 3) Section Numbers:

	<u>Adopted Action</u> :
250.160	Amendment
250.250	Amendment
250.890	New
- 4) Statutory Authority: Hospital Licensing Act [210 ILCS 85]
- 5) Effective Date of Rulemaking: August 12, 2008
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 9) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 32 Ill. Reg. 3146; March 7, 2008
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: The following changes were made in response to comments received during the first notice or public comment period: None

The following changes were made in response to comments and suggestions of the JCAR:

In Section 250.160(c)(1)(G), "ILC" was stricken and "ILCS" was inserted.

In addition, various typographical, grammatical and form changes were made in response to the comments from JCAR.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No

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14) Are there any rulemakings pending on this Part? No

15) Summary and Purpose of the Rulemaking: Part 250 regulates hospitals in Illinois, including establishing requirements for visitors. Section 250.250 (Visiting Rules) restricted animals to those required for research and guide dogs. However, a growing body of knowledge suggests that using animals in therapy can be a means for hospital patients to have shorter recovery periods and increased motivation to participate in other traditional therapies, resulting in shorter hospital stays.

To that end, the amendments, suggested by the Hospital Licensing Board, update Section 250.250 to recognize an exception for animals used in animal-assisted therapy and add a new Section 250.890 (Animal-Assisted Therapy) regulating animal-assisted therapy programs, including the handling of animals. Additionally, Section 250.160 (Incorporated and Referenced Materials) is updated to add federal guidelines for handling animals in health care facilities.

16) Information and questions regarding these adopted amendments shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761

217/782-2043
e-mail: dph.rules@illinois.gov

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH

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SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250
HOSPITAL LICENSING REQUIREMENTS

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250.2810 Applicability of Other Parts of These Requirements
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250.APPENDIX A Codes and Standards (Repealed)

250.EXHIBIT A Codes (Repealed)
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250.ILLUSTRATION A Seismic Zone Map

250.TABLE A Measurements Essential for Level I, II, III Hospitals
250.TABLE B Sound Transmission Limitations in General Hospitals
250.TABLE C Filter Efficiencies for Central Ventilation and Air Conditioning Systems in General Hospitals (Repealed)
250.TABLE D General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)

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250.TABLE E Piping Locations for Oxygen, Vacuum and Medical Compressed Air
250.TABLE F General Pressure Relationships and Ventilation of Certain Hospital Areas
250.TABLE G Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 23 Ill. Reg. 13913, effective November 15, 1999; amended at 24 Ill. Reg. 6572, effective April 11, 2000; amended at 24 Ill. Reg. 17196, effective November 1, 2000; amended at 25 Ill. Reg. 3241, effective February 15, 2001; amended at 27 Ill. Reg. 1547, effective January 15, 2003; amended at 27 Ill. Reg. 13467, effective July 25, 2003; amended at 28 Ill. Reg. 5880, effective March 29, 2004; amended at 28 Ill. Reg. 6579, effective April 15,

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2004; amended at 29 Ill. Reg. 12489, effective July 27, 2005; amended at 31 Ill. Reg. 4245, effective February 20, 2007; amended at 31 Ill. Reg. 14530, effective October 3, 2007; amended at 32 Ill. Reg. 3756, effective February 27, 2008; amended at 32 Ill. Reg. 4213, effective March 10, 2008; amended at 32 Ill. Reg. 7932, effective May 12, 2008; amended at 32 Ill. Reg. 14336, effective August 12, 2008.

SUBPART A: GENERAL

Section 250.160 Incorporated and Referenced Materials

- a) The following regulations and standards are incorporated in this Part:
 - 1) Private and professional association standards:
 - A) American Society for Testing and Materials (ASTM), Standard No. E90-99 (2002): Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions and Elements, which may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959. (See Section 250.2420.)
 - B) The following standards of the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), which may be obtained from the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, GA 30329: (See Section 250.2480.)
 - i) ASHRAE Handbook of Fundamentals (2005);
 - ii) ASHRAE Handbook for HVAC Systems and Equipment (1996);
 - iii) ASHRAE Handbook-HVAC Applications (1999).
 - C) The following standards of the National Fire Protection Association (NFPA), which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169:

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- i) No. 101 (2000): Life Safety Code; (See Sections 250.2420, 250.2450, 250.2460, 250.2470, and 250.2490.)
- ii) No. 10 (1998): Standards for Portable Fire Extinguishers; (See Section 250.1980.)
- iii) No. 13 (1999): Standards for the Installation of Sprinkler Systems; (See Sections 250.2490 and 250.2670.)
- iv) No. 14 (2000): Standard for the Installation of Standpipe, Private Hydrants and Hose Systems; (See Sections 250.2490 and 250.2670.)
- v) No. 25 (1998): Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems;
- vi) No. 30 (1996): Flammable and Combustible Liquids Code; (See Section 250.1980.)
- vii) No. 45 (1996): Standard on Fire Protection for Laboratories Using Chemicals;
- viii) No. 54 (1999): National Fuel Gas Code;
- ix) No. 70 (1999): National Electrical Code; (See Sections 250.2440 and 250.2500.)
- x) No. 72 (1999): National Fire Alarm Code;
- xi) No. 80 (1999): Standard for Fire Doors and Fire Windows; (See Section 250.2450.)
- xii) No. 82 (1999): Standard on Incinerators and Waste and Linen Handling Systems and Equipment; (See Section 250.2440.)
- xiii) No. 90A (1999): Standard for Installation of Air Conditioning and Ventilating Systems; (See Sections 250.2480 and 250.2660.)

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- xiv) No. 96 (1998): Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations; (See Section 250.2660.)
- xv) No. 99 (1999): Standard for Health Care Facilities; (See Sections 250.1410, 250.1910, 250.1980, 250.2460, 250.2480, 250.2490 and 250.2660.)
- xvi) No. 101-A (2001): Guide on Alternative Approaches to Life Safety; (See Section 250.2620.)
- xvii) No. 110 (1999): Standard for Emergency and Standby Power Systems;
- xviii) No. 220 (1999): Standard on Types of Building Construction; (See Sections 250.2470 and 250.2620.)
- xix) No. 221 (1997): Standard for Fire Walls and Fire Barrier Walls;
- xx) No. 241 (1996): Standard for Safeguarding Construction, Alteration and Demolition Operations;
- xxi) No. 255 and 258 (2000): Standard Method of Test of Surface Burning Characteristics of Building Materials, and Recommended Practice for Determining Smoke Generation of Solid Materials; (See Section 250.2480.)
- | xxii) No. 701 (1999): Standard Methods of Fire Tests for Flame Propagation of Textiles and Films. (See Sections 250.2460 and 250.2650.)
- D) American Academy of Pediatrics and American College of Obstetricians and Gynecologists, Guidelines for Perinatal Care, Fifth Edition (2002), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264). (See Section 250.1820.)
- E) American College of Obstetricians and Gynecologists, Guidelines

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for Women's Healthcare (Second Edition (2002)), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264). (See Section 250.1820.)

- F) National Council on Radiation Protection and Measurements (NCRP), Report No. 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma Rays of Energies up to 10 MeV (1976) and NCRP Report No. 102: Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies Up to 50 MeV (Equipment Design, Performance and Use) (1989), which may be obtained from the National Council on Radiation Protection and Measurements, 7910 Woodmont Ave., Suite 800, Bethesda, Maryland 20814-3095. (See Sections 250.2440 and 250.2450.)
- G) DOD Penetration Test Method MIL STD No. 282 (1995): Filter Units, Protective Clothing, Gas-mask Components and Related Products: Performance Test Methods, which may be obtained from Naval Publications and Form Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120. (See Section 250.2480.)
- H) National Association of Plumbing-Heating-Cooling Contractors (PHCC), National Standard Plumbing Code (2003), which may be obtained from the National Association of Plumbing-Heating-Cooling Contractors, 180 S. Washington Street, P.O. Box 6808, Falls Church, Virginia 22046 (703-237-8100).
- I) The International Code Council, International Building Code (2000), which may be obtained from the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois 60477-5795. (See Section 250.2420.)
- J) American National Standards Institute, Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped (1968), which may be obtained from the American National Standards Institute, 25 West 433rd Street, 4th Floor, New York, New York 10036. (See Section 250.2420.)
- K) Accreditation Council for Graduate Medical Education, Essentials

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of Accredited Residencies in Graduate Medical Education (1997), which may be obtained from the Accreditation Council for Graduate Medical Education, 515 North State Street, Suite 2000, Chicago, Illinois 60610. (See Section 250.315.)

L) Joint Commission on Accreditation of Healthcare Organizations, 2006 Hospital Accreditation Standards (HAS), Standard PC.3.10, which may be obtained from the Joint Commission on Accreditation of Healthcare Organizations, One Renaissance Boulevard, Oakbrook Terrace, Illinois 60181. (See Section 250.1035.)

2) Federal Government Publications:

A) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Isolation Precautions in Hospitals", February 18, 1997 and "Guidelines for Infection Control in Health Care Personnel", 1998, which may be obtained from National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. (See Section 250.1100.)

B) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guidelines for Environmental Infection Control in Health-Care Facilities: Recommendations – Animals in Health Care Facilities", "Morbidity and Mortality Weekly Report", June 6, 2003/Vol. 52/No. RR-10, which may be obtained from the Centers for Disease Control and Prevention, 1600 Clifton Road, MS K-95, Atlanta GA 30333.

b) All incorporations by reference of federal regulations and guidelines and the standards of nationally recognized organizations refer to the regulations guidelines and standards on the date specified and do not include any editions or amendments subsequent to the date specified.

c) The following statutes and State regulations are referenced in this Part:

1) State of Illinois statutes:

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- A) Hospital Licensing Act [210 ILCS 85].
- B) Illinois Health Facilities Planning Act [20 ILCS 3960].
- C) Medical Practice Act of 1987 [225 ILCS 60].
- D) Podiatric Medical Practice Act of 1987 [225 ILCS 100].
- E) Pharmacy Practice Act of 1987 [225 ILCS 85].
- F) Physicians Assistant Practice Act of 1987 [225 ILCS 95].
- G) Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25].
- H) X-ray Retention Act [210 ILCS 90].
- I) Safety Glazing Materials Act [430 ILCS 60].
- J) Mental Health and Developmental Disabilities Code [405 ILCS 5].
- K) Nurse Practice Act [225 ILCS 65].
- L) Health Care Worker Background Check Act [225 ILCS 46].

2) State of Illinois rules:

- A) Department of Public Health, Illinois Plumbing Code (77 Ill. Adm. Code 890).
- B) Department of Public Health, Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545).
- C) Department of Public Health, Control of Communicable Diseases Code (77 Ill. Adm. Code 690).
- D) Department of Public Health, Food Service Sanitation Code (77 Ill. Adm. Code 750).
- E) Department of Public Health, Public Area Sanitary Practice Code (77 Ill. Adm. Code 895).

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- F) Department of Public Health, Maternal Death Review (77 Ill. Adm. Code 657).
- G) Department of Public Health, Health Care Worker Background Check Code (77 Ill. Adm. Code 955).
- H) Department of Public Health, Language Assistance Services Code (77 Ill. Adm. Code 940).
- I) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400).
- J) State Fire Marshal, Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120).
- K) State Fire Marshal, Fire Prevention and Safety (41 Ill. Adm. Code 100).
- L) Illinois Emergency Management Agency, Standards for Protection Against Radiation (32 Ill. Adm. Code 340).
- M) Illinois Emergency Management Agency, Use of X-rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill. Adm. Code 360).

(Source: Amended at 32 Ill. Reg. 14336, effective August 12, 2008)

SUBPART B: ADMINISTRATION AND PLANNING

Section 250.250 Visiting Rules

- a) Each hospital shall establish, in the interest of the patient, policies regarding visitation on the various services and departments of the hospital. It is recommended that visitors be limited to two per patient at any one time.
- b) In times of increased incidence of communicable disease in the community, the hospital should consult with the local health officer regarding further restriction of visitors.

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- c) No visitor shall knowingly be admitted who has a known infectious disease, who has recently recovered from such a disease, or who has recently had contact with such a disease.
- d) Children
 - 1) Children under 12 years of age should not be admitted as visitors to the hospital except in the company of a responsible adult.
 - 2) Children under six years of age should be admitted as visitors only when the hospital has a special family visiting program or when requested in writing by the attending physician or chief executive officer of the hospital. Visiting facilities other than the patient's room shall be used for children under six years of age, unless that room is a private room.
- e) No lay visitor shall be given access to the operating rooms during surgery, except as provided in Section 250.1305 or Section 250.1860(a).
- f) See Section 250.1830 (k) for visiting regulations applicable to maternity departments and newborn nurseries.
- g) Smoking by visitors shall be prohibited except in specially designated outside areas.
- h) No visitors shall be permitted in the postoperative recovery room.
- i) Animals. No birds, turtles, dogs, cats or other animals (exclusive of those required for laboratory purposes or for animal-assisted therapy in accordance with Section 250.890) shall be allowed in a medical facility, except as provided in this subsection (i). Guide dogs may accompany sightless persons. When animals are allowed in the hospital, the hospital shall have policies for infection control, sanitation, care of the animals, and any necessary patient screening. The policies shall be followed and shall comply with the requirements concerning animals in the Department's Food Service Sanitation Code (77 Ill. Adm. Code 750). Animals may be allowed in the following units and programs:
 - 1) Children's Mental Health or Developmental Disabilities Units, when the unit is separated from other patient care units.
 - 2) Designated long term care units, when the unit is separated from other

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patient care units.

3) Specific pet therapy programs when the presence of the animals can be demonstrated to have therapeutic value to the patient, the location of the animals is separate and distinct from patient care units, and the presence of the animals is part of a special program which has been approved by the hospital's Medical Staff and Infection Control Committee.

(Source: Amended at 32 Ill. Reg. 14336, effective August 12, 2008)

SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

Section 250.890 Animal-Assisted Therapy

a) Animal-assisted therapy programs may be established in hospitals if the boarding and grooming location of the animals is separate and distinct from patient care units and the presence of the animals is part of a special program established in accordance with this Section.

b) The hospital's Medical Staff and Infection Control Committee shall approve an animal-assisted therapy program prior to operation of the program.

c) The Infection Control Committee and Medical Staff shall develop written policies and procedures for operation of the animal-assisted therapy program, including, but not limited to, the following. All policies and procedures shall be developed in accordance with the Guidelines of the Centers for Disease Control and Prevention titled "Guidelines for Environmental Infection Control in Health-Care Facilities: Recommendations – Animals in Health Care Facilities" (see Section 250.160).

1) Designation of a department within the hospital that will be responsible for operation and establishment of the animal-assisted therapy program (e.g., Volunteer Services).

2) Development of written goals and objectives for the program.

3) Policies governing sanitation, infection control and care and grooming of animals, including veterinary care.

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- 4) Certification and training requirements for animals, animal handlers and hospital staff.
- 5) Policies for patient screening and assessment for participation in animal-assisted therapy.
- 6) Policies governing areas in the hospital where animals are permitted and prohibited, including whether therapy will be held in a public area of the hospital or in the patients' rooms.
- 7) Policies for determining the length of therapy sessions.
- 8) Policies governing the types of animals that will be permitted to participate in the program.
- 9) Policies governing patient safety and incidents of biting, scratching or other behavior, and including reporting requirements and patient care.
- 10) Policies governing patient consent requirements for participation in the program, for both adult and child patients.

d) Records shall be kept for each patient who participates in the program and shall be available for review by Department staff.

e) All animal-assisted therapy sessions shall be prescheduled and approved in advance by the patient's physician and hospital staff who are responsible for the program.

f) If a therapy animal is to be boarded overnight in the hospital, the hospital shall establish, in addition to the infection control requirements of this Section, policies governing the location in the hospital where the animal will board. A hospital staff member who has had training for this responsibility shall be responsible for the care and management of the animal during the time that the animal is boarding.

g) Therapy animals shall be accompanied at all times that the animal is in the hospital by a volunteer or staff member who is familiar with and capable of controlling the animal's behavior.

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h) The animal-assisted therapy program shall be evaluated annually in a written report to the Infection Control Committee.

(Source: Added at 32 Ill. Reg. 14336, effective August 12, 2008)