

MEMORANDUM 010207-01

TO: All Investigators, Springfield Staff  
FROM: Richard Crum, Division Manager

DATE: January 2, 2007

SUBJECT: Burn Injury Reporting Act, 425 ILCS 7

**BURN INJURY REPORTING ACT**

Beginning January 1, 2007, hospitals that initially treat a patient for certain burn injuries may call 1-800-252-2947 to report the injuries to the Office of the State Fire Marshal (OSFM). Pursuant to the Burn Injury Reporting Act (Act), 425 ILCS 7, hospitals deciding to report burn injuries to OSFM must report every burn injury that meets one of the following criteria:

- (a) A serious second-degree burn or a third-degree burn, but not a radiation burn, to 10% or more of a person's body as a whole;
- (b) A burn to the upper respiratory tract or occurring laryngeal edema due to the inhalation of superheated air;
- (c) A burn injury likely to result in death; or
- (d) Any other burn injury not expressly excluded from the Act.

The hospital's designee shall report the injuries in a timely manner as soon as treatment permits.

The Act does not apply to a hospital that receives a patient who has been transferred for a burn that was initially treated at another hospital. Moreover, the hospital's designee shall not report any of the following burn injuries:

- (a) A burn injury of a first responder, as defined in Section 3.60 of the Emergency Medical Services Systems Act, sustained in the line of duty;
- (b) A burn injury caused by lighting;
- (c) A burn injury caused by a motor vehicle accident; or
- (d) A burn injury caused by an identifiable industrial accident or work-related accident.

Reporting hospitals will be asked for the following information to the extent it is available:

- (a) Name, address, and date of birth of the victim;
- (b) Address where the burn injury occurred;
- (c) Date and time of the burn occurrence;
- (d) Degree of burn injury, percentage of the body affected by the burn injury, and the specific area of the body affected by the burn injury; and

(e) The name and address of the facility treating the patient. Information collected in these reports identifying the hospital, any health care professional, any hospital staff, or the patient shall remain confidential and only be divulged as needed in the investigation or prosecution of a criminal offense.

The hospital's medical records shall only be disclosed in accordance with Illinois law and the federal Health Insurance Portability and Accountability Act of 1996 and its rules. With the exception of willful and wanton misconduct, any individual who in good faith acts in accordance with the terms of the Act or assists in the reporting of a burn injury shall not be subject to any civil or criminal liability or discipline for unprofessional conduct. (End of Act)

A Standard Operating Procedure (SOP) has been established by IEMA to address any reports generated by the Burn Injury Reporting Act. The SOP in summary advises that IEMA will document the information given, will fax a copy of the information received to the arson division office, and will send an email copy to the Division Manager. All reports received in the division office shall be stamped "CONFIDENTIAL".

Upon review of the information provided by IEMA, the Division Manager may contact the local law enforcement agency having jurisdiction and, depending on the information obtained and severity of the burn injury incident, may contact the closest available division arson investigator and assign an investigation to same.

Please keep in mind that it is not mandatory for the hospital(s) to report burn injuries.

All reports received and/or generated by IEMA and/or the Arson Division Manager shall remain confidential and will only be divulged as needed in the investigation or prosecution of a criminal offense. No information shall be included in the report naming or identifying any health care professional or hospital staff.

Cc: D. Foreman  
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