



**ILLINOIS COALITION
FOR IMMIGRANT
& REFUGEE RIGHTS**

LEGAL COUNCIL
FOR HEALTH JUSTICE

HB1312 HEALTHCARE SANCTITY AND PRIVACY LAW

BACKGROUND

The Healthcare Sanctity and Privacy Law is a new Illinois law that took effect December 9, 2025 to strengthen privacy and safety protections at healthcare facilities. It requires hospitals in Illinois to develop policies and protocols when encountering law officials for the purpose of immigration enforcement. General acute care hospitals¹ must submit their policies to the Illinois Department of Public Health (IDPH) by January 15, 2026 and others by March 1, 2026.

The law provides reassurances to people that they should not be afraid to seek care because of their immigration status or where they were born.

HOSPITAL POLICIES & TRAINING

1. The Law requires hospitals to adopt policies governing interactions with any law enforcement engaged in civil immigration enforcement and to train care team personnel on those policies at least annually.
2. Hospitals must designate a main contact person, member of management or administration, or legal counsel, for interactions with law enforcement. Hospital staff must immediately notify the designated contact person if someone requests access to the facility, to a patient, or to documents or other information for immigration enforcement.
3. A hospital's designated contact person must confirm that a law enforcement officer has a valid judicial warrant or court order that clearly authorizes access to accompany a patient or be present in the hospital.
4. Hospitals must have a discrete space, separate from the patient's room, for law enforcement to wait when they are on site. Hospitals are required to display information about immigration rights in multiple languages, in places accessible to patients and visitors.²
5. Hospitals are encouraged to obtain authorization from a patient to be able to contact a loved one if the patient is detained.

¹ <https://dph.illinois.gov/topics-services/health-care-regulation/hospitals.html>

² See 210 ILCS 85/6.14h(c)(3)



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PROTECTING PATIENT HEALTH INFORMATION

1. Hospitals cannot share information with law enforcement for civil immigration enforcement unless there is a valid subpoena or warrant signed by a federal judge or magistrate judge (this is a higher standard than HIPAA).
2. Hospitals must share privacy policies with patients (following language access requirements) about a patient's right to request to amend their medical record. Hospitals may permit a patient to request that sensitive immigration information be removed from their medical record.

REPORTING AND COMPLIANCE

1. The Illinois Department of Public Health (IDPH) oversees compliance with this law.
2. Hospitals must not retaliate against patients or staff who file a complaint about compliance with this law. IDPH has the authority to investigate complaints.
3. The law protects hospital personnel from civil or criminal liability arising from their reasonable compliance with this law.
4. Patients and hospital personnel have a right to file a complaint with IDPH. More information can be found at dph.illinois.gov or by calling: 1-800-252-4343

For a copy of model policies, please visit www.ilalliancehealth.org
or scan the QR code

