

# Hinshaw Partners Examine Implications for Nursing Homes of New Illinois Aid-in-Dying Law

In The News | 3 min read

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Hinshaw healthcare partners Katie Anderson and Adam Guetzow were recently quoted in a new *McKnight's Long-Term Care News* article discussing the legal challenges that Illinois' new aid-in-dying law presents for nursing homes and long-term care providers. The legislation, also known as "Deb's Law," takes effect on September 12, 2026.

The coverage follows a [recent LeadingAge Illinois webinar presentation](#) by Katie and Adam on the topic.

## Patient Safeguards

"There are a lot of safeguards that must be in place. States vary on what those safeguards may look like," Adam said, noting how Illinois lawmakers struggled with balancing patient choice and protecting vulnerable individuals.

"You really do need to be a pretty stable mental capacity patient to be able to participate in this. So I will say, while dementia by no means is an automatic disqualifier, our patient populations and our organizations do present unique perspectives because there are individuals that have some mental capacity issues, probably at a higher frequency as opposed to perhaps maybe a hospital setting or home hospice setting."

Katie also discussed how the Illinois law requires that an attending physician diagnose a terminal illness after an in-person exam, that a consultant physician must confirm the diagnosis, and that all of this information must be documented in the patient's health record. She added that a chronic illness alone does not qualify Illinois residents for aid-in-dying protections.

"They really want the patient to contemplate if this is something that they truly want to pursue," Katie said.

"These [laws] are really designed to double, triple, quadruple check that this is something that the patient really wants and has truly thought through. ... We're building in all of these various safeguards to make sure that, again, the patient is truly making an informed decision."

# Faith-based Provider Challenges

Additionally, Adam addressed concerns raised by faith-based healthcare organizations: “There are some faith-based questions that center on self-administration and end-of-life medication, and there were faith-based organizations that had some concerns... The Illinois regulations provide opt-out protections, as well as immunity provisions for those that do participate.”

Katie noted that nursing homes that won't allow aid-in-dying medications must state this in their policies and procedures and notify physicians who work in their buildings at the time of hiring, at the time of contracting with the physician, or at the time of granting privileges, and then annually thereafter.

Physicians may still legally tell nursing home residents about the availability of aid-in-dying options. Facilities also cannot prevent a provider from being present when the patient self-administers the medication “so long as that happens outside their employment duties,” Katie said.

## Civil, Criminal, and Professional Liability Protections

In addition to legal protections for patients who request aid-in-dying, Illinois also offers civil, criminal, and professional liability protections to providers that act in good faith and comply with related regulations, Adam added.

“What acts are not protected?” he asked. “A failure to file the statutory requirements, coercion or undue influence, forgery or falsification of documents, an administration and medication by anyone other than the patient. That's [going to] be a big one. Physicians and facilities that are choosing to participate in allowing this to occur must be very mindful of the fact that the law is very serious on this requirement. The medication must be self-administered.”

Lastly, Adam discussed how the laws are part of a broader trend toward giving patients more say in their care, including increased access to medical records that can enhance their autonomy and participation in that care. He added that the law is also “an outgrowth of more readily available medical knowledge and shifting attitudes since the pandemic.”

[Read the full article](#)

*McKnight's Long-Term Care News*: “[As aid-in-dying laws come to more states, nursing homes face tough new decisions](#)” (February 21, 2026)

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