

# HB3240



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3240

Introduced 2/19/2021, by Rep. Lindsey LaPointe

#### SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-565

was 20 ILCS 5/6.06

Amends the Departments of State Government Law of the Civil Administrative Code of Illinois. Provides that it shall be the duty of the State Board of Health, among other duties, to deliver to the Governor for presentation to the General Assembly a State Health Assessment and a State Health Improvement Plan (currently, only a State Health Improvement Plan required). Provides further requirements concerning the State Health Assessment and the State Health Improvement Plan. Effective immediately.

LRB102 14492 RJF 19845 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Civil Administrative Code of Illinois is  
5 amended by changing Section 5-565 as follows:

6 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

7 Sec. 5-565. In the Department of Public Health.

8 (a) The General Assembly declares it to be the public  
9 policy of this State that all residents ~~citizens~~ of Illinois  
10 are entitled to lead healthy lives. Governmental public health  
11 has a specific responsibility to ensure that a public health  
12 system is in place to allow the public health mission to be  
13 achieved. The public health system is the collection of  
14 public, private, and voluntary entities as well as individuals  
15 and informal associations that contribute to the public's  
16 health within the State. To develop a public health system  
17 requires certain core functions to be performed by government.  
18 The State Board of Health is to assume the leadership role in  
19 advising the Director in meeting the following functions:

20 (1) Needs assessment.

21 (2) Statewide health objectives.

22 (3) Policy development.

23 (4) Assurance of access to necessary services.

1           There shall be a State Board of Health composed of 20  
2 persons, all of whom shall be appointed by the Governor, with  
3 the advice and consent of the Senate for those appointed by the  
4 Governor on and after June 30, 1998, and one of whom shall be a  
5 senior citizen age 60 or over. Five members shall be  
6 physicians licensed to practice medicine in all its branches,  
7 one representing a medical school faculty, one who is board  
8 certified in preventive medicine, and one who is engaged in  
9 private practice. One member shall be a chiropractic  
10 physician. One member shall be a dentist; one an environmental  
11 health practitioner; one a local public health administrator;  
12 one a local board of health member; one a registered nurse; one  
13 a physical therapist; one an optometrist; one a veterinarian;  
14 one a public health academician; one a health care industry  
15 representative; one a representative of the business  
16 community; one a representative of the non-profit public  
17 interest community; and 2 shall be citizens at large.

18           The terms of Board of Health members shall be 3 years,  
19 except that members shall continue to serve on the Board of  
20 Health until a replacement is appointed. Upon the effective  
21 date of Public Act 93-975 (January 1, 2005) ~~this amendatory~~  
22 ~~Act of the 93rd General Assembly,~~ in the appointment of the  
23 Board of Health members appointed to vacancies or positions  
24 with terms expiring on or before December 31, 2004, the  
25 Governor shall appoint up to 6 members to serve for terms of 3  
26 years; up to 6 members to serve for terms of 2 years; and up to

1 5 members to serve for a term of one year, so that the term of  
2 no more than 6 members expire in the same year. All members  
3 shall be legal residents of the State of Illinois. The duties  
4 of the Board shall include, but not be limited to, the  
5 following:

6 (1) To advise the Department of ways to encourage  
7 public understanding and support of the Department's  
8 programs.

9 (2) To evaluate all boards, councils, committees,  
10 authorities, and bodies advisory to, or an adjunct of, the  
11 Department of Public Health or its Director for the  
12 purpose of recommending to the Director one or more of the  
13 following:

14 (i) The elimination of bodies whose activities are  
15 not consistent with goals and objectives of the  
16 Department.

17 (ii) The consolidation of bodies whose activities  
18 encompass compatible programmatic subjects.

19 (iii) The restructuring of the relationship  
20 between the various bodies and their integration  
21 within the organizational structure of the Department.

22 (iv) The establishment of new bodies deemed  
23 essential to the functioning of the Department.

24 (3) To serve as an advisory group to the Director for  
25 public health emergencies and control of health hazards.

26 (4) To advise the Director regarding public health

1 policy, and to make health policy recommendations  
2 regarding priorities to the Governor through the Director.

3 (5) To present public health issues to the Director  
4 and to make recommendations for the resolution of those  
5 issues.

6 (6) To recommend studies to delineate public health  
7 problems.

8 (7) To make recommendations to the Governor through  
9 the Director regarding the coordination of State public  
10 health activities with other State and local public health  
11 agencies and organizations.

12 (8) To report on or before February 1 of each year on  
13 the health of the residents of Illinois to the Governor,  
14 the General Assembly, and the public.

15 (9) To review the final draft of all proposed  
16 administrative rules, other than emergency or peremptory  
17 ~~preemptory~~ rules and those rules that another advisory  
18 body must approve or review within a statutorily defined  
19 time period, of the Department after September 19, 1991  
20 (the effective date of Public Act 87-633). The Board shall  
21 review the proposed rules within 90 days of submission by  
22 the Department. The Department shall take into  
23 consideration any comments and recommendations of the  
24 Board regarding the proposed rules prior to submission to  
25 the Secretary of State for initial publication. If the  
26 Department disagrees with the recommendations of the

1 Board, it shall submit a written response outlining the  
2 reasons for not accepting the recommendations.

3 In the case of proposed administrative rules or  
4 amendments to administrative rules regarding immunization  
5 of children against preventable communicable diseases  
6 designated by the Director under the Communicable Disease  
7 Prevention Act, after the Immunization Advisory Committee  
8 has made its recommendations, the Board shall conduct 3  
9 public hearings, geographically distributed throughout the  
10 State. At the conclusion of the hearings, the State Board  
11 of Health shall issue a report, including its  
12 recommendations, to the Director. The Director shall take  
13 into consideration any comments or recommendations made by  
14 the Board based on these hearings.

15 (10) To deliver to the Governor for presentation to  
16 the General Assembly a State Health Assessment (SHA) and a  
17 State Health Improvement Plan (SHIP). The first 5 ~~3~~ such  
18 plans shall be delivered to the Governor on January 1,  
19 2006, January 1, 2009, ~~and~~ January 1, 2016, January 1,  
20 2022, January 1, 2023, and then every 5 years thereafter.

21 The State Health Assessment and State Health  
22 Improvement Plan ~~Plan~~ shall assess and recommend  
23 priorities and strategies to improve the public health  
24 system, ~~and~~ the health status of Illinois residents,  
25 reduce health disparities and inequities, and promote  
26 health equity. The State Health Assessment and State

1 Health Improvement Plan development and implementation  
2 shall conform to national Public Health Accreditation  
3 Board Standards. The State Health Assessment and State  
4 Health Improvement Plan development and implementation  
5 process shall be carried out with the administrative and  
6 operational support of the Department of Public Health  
7 ~~taking into consideration national health objectives and~~  
8 ~~system standards as frameworks for assessment.~~

9 The State Health Assessment shall include  
10 comprehensive, broad-based data and information from a  
11 variety of sources on health status and the public health  
12 system including:

13 (i) quantitative data on the demographics and  
14 health status of the population, including data over  
15 time on health by gender identity, sexual orientation,  
16 race, ethnicity, age, socio-economic factors,  
17 geographic region, disability status, and other  
18 indicators of disparity;

19 (ii) quantitative data on social and structural  
20 issues affecting health (social and structural  
21 determinants of health), including, but not limited  
22 to, housing, transportation, educational attainment,  
23 employment, and income inequality;

24 (iii) priorities and strategies developed at the  
25 community level through the Illinois Project for Local  
26 Assessment of Needs (IPLAN) and other local and

- 1           regional community health needs assessments;  
2           (iv) qualitative data representing the  
3           population's input on health concerns and well-being,  
4           including the perceptions of people experiencing  
5           disparities and health inequities;  
6           (v) information on health disparities and health  
7           inequities; and  
8           (vi) information on public health system strengths  
9           and areas for improvement.

10           ~~The Plan shall also take into consideration priorities~~  
11           ~~and strategies developed at the community level through~~  
12           ~~the Illinois Project for Local Assessment of Needs (IPLAN)~~  
13           ~~and any regional health improvement plans that may be~~  
14           ~~developed.~~

15           The State Health Improvement Plan ~~Plan~~ shall focus on  
16           prevention, social determinants of health, and promoting  
17           health equity as key strategies ~~as a key strategy~~ for  
18           long-term health improvement in Illinois.

19           The State Health Improvement Plan ~~Plan~~ shall identify  
20           priority State health issues and social issues affecting  
21           health, and shall examine and make recommendations on the  
22           contributions and strategies of the public and private  
23           sectors for improving health status and the public health  
24           system in the State. In addition to recommendations on  
25           health status improvement priorities and strategies for  
26           the population of the State as a whole, the State Health



1        Improvement Plan ~~Plan~~ shall make recommendations regarding  
2        priorities and strategies for reducing and eliminating  
3        health disparities and health inequities in Illinois;  
4        including racial, ethnic, gender identification, sexual  
5        orientation, age, disability, socio-economic, and  
6        geographic disparities. The State Health Improvement Plan  
7        shall make recommendations regarding social determinants  
8        of health, such as housing, transportation, educational  
9        attainment, employment, and income inequality.

10        The development and implementation of the State Health  
11        Assessment and State Health Improvement Plan shall be a  
12        collaborative public-private cross-agency effort overseen  
13        by the SHA and SHIP Partnership. The Director of Public  
14        Health shall consult with the Governor to ensure  
15        participation by the head of State agencies with public  
16        health responsibilities (or their designees) in the SHA  
17        and SHIP Partnership, including, but not limited to, the  
18        Department of Public Health, the Department of Human  
19        Services, the Department of Healthcare and Family  
20        Services, the Department of Children and Family Services,  
21        the Environmental Protection Agency, the Illinois State  
22        Board of Education, the Department on Aging, the Illinois  
23        Housing Development Authority, the Illinois Criminal  
24        Justice Information Authority, the Department of  
25        Agriculture, the Department of Transportation, the  
26        Department of Corrections, the Department of Commerce and

1 Economic Opportunity, and the Chair of the State Board of  
2 Health to also serve on the Partnership. A member of the  
3 Governors' staff shall participate in the Partnership and  
4 serve as a liaison to the Governors' office.

5 The Director of ~~the Illinois Department of~~ Public  
6 Health shall appoint a minimum of 15 other members of the  
7 SHA and SHIP Partnership representing a Planning Team that  
8 ~~includes~~ a range of public, private, and voluntary sector  
9 stakeholders and participants in the public health system.  
10 For the first SHA and SHIP Partnership after the effective  
11 date of this amendatory Act of the 102nd General Assembly,  
12 one-half of the members shall be appointed for a 3-year  
13 term, and one-half of the members shall be appointed for a  
14 5-year term. Subsequently, members shall be appointed to  
15 5-year terms. Should any member not be able to fulfill his  
16 or her term, the Director may appoint a replacement to  
17 complete that term. The Director, in consultation with the  
18 SHA and SHIP Partnership, may engage additional  
19 individuals and organizations to serve on subcommittees  
20 and ad hoc efforts to conduct the State Health Assessment  
21 and develop and implement the State Health Improvement  
22 Plan. Members of the SHA and SHIP Partnership shall  
23 receive no compensation for serving as members, but may be  
24 reimbursed for their necessary expenses if departmental  
25 resources allow.

26 The SHA and SHIP Partnership ~~This Team~~ shall include:

1 ~~the directors of State agencies with public health~~  
2 ~~responsibilities (or their designees), including but not~~  
3 ~~limited to the Illinois Departments of Public Health and~~  
4 ~~Department of Human Services,~~ representatives of local  
5 health departments, ~~representatives of local community~~  
6 ~~health partnerships,~~ and individuals with expertise who  
7 represent an array of organizations and constituencies  
8 engaged in public health improvement and prevention, such  
9 as non-profit public interest groups, groups serving  
10 populations that experience health disparities and health  
11 inequities, groups addressing social determinants of  
12 health, health issue groups, faith community groups,  
13 health care providers, businesses and employers, academic  
14 institutions, and community-based organizations.

15 The Director shall endeavor to make the membership of  
16 the Partnership diverse and inclusive of the racial,  
17 ethnic, gender, socio-economic, and geographic diversity  
18 of the State. The SHA and SHIP Partnership shall be  
19 chaired by the Director of Public Health or his or her  
20 designee.

21 The SHA and SHIP Partnership shall develop and  
22 implement a community engagement process that facilitates  
23 input into the development of the State Health Assessment  
24 and State Health Improvement Plan. This engagement process  
25 shall ensure that individuals with lived experience in the  
26 issues addressed in the State Health Assessment and State

1 Health Improvement Plan are meaningfully engaged in the  
2 development and implementation of the State Health  
3 Assessment and State Health Improvement Plan.

4 The State Board of Health shall hold at least 3 public  
5 hearings addressing a draft of the State Health  
6 Improvement Plan ~~drafts of the Plan~~ in representative  
7 geographic areas of the State. ~~Members of the Planning~~  
8 ~~Team shall receive no compensation for their services, but~~  
9 ~~may be reimbursed for their necessary expenses.~~

10 ~~Upon the delivery of each State Health Improvement~~  
11 ~~Plan, the Governor shall appoint a SHIP Implementation~~  
12 ~~Coordination Council that includes a range of public,~~  
13 ~~private, and voluntary sector stakeholders and~~  
14 ~~participants in the public health system. The Council~~  
15 ~~shall include the directors of State agencies and entities~~  
16 ~~with public health system responsibilities (or their~~  
17 ~~designees), including but not limited to the Department of~~  
18 ~~Public Health, Department of Human Services, Department of~~  
19 ~~Healthcare and Family Services, Environmental Protection~~  
20 ~~Agency, Illinois State Board of Education, Department on~~  
21 ~~Aging, Illinois Violence Prevention Authority, Department~~  
22 ~~of Agriculture, Department of Insurance, Department of~~  
23 ~~Financial and Professional Regulation, Department of~~  
24 ~~Transportation, and Department of Commerce and Economic~~  
25 ~~Opportunity and the Chair of the State Board of Health.~~  
26 ~~The Council shall include representatives of local health~~

1 ~~departments and individuals with expertise who represent~~  
2 ~~an array of organizations and constituencies engaged in~~  
3 ~~public health improvement and prevention, including~~  
4 ~~non-profit public interest groups, health issue groups,~~  
5 ~~faith community groups, health care providers, businesses~~  
6 ~~and employers, academic institutions, and community based~~  
7 ~~organizations. The Governor shall endeavor to make the~~  
8 ~~membership of the Council representative of the racial,~~  
9 ~~ethnic, gender, socio economic, and geographic diversity~~  
10 ~~of the State. The Governor shall designate one State~~  
11 ~~agency representative and one other non-governmental~~  
12 ~~member as co-chairs of the Council. The Governor shall~~  
13 ~~designate a member of the Governor's office to serve as~~  
14 ~~liaison to the Council and one or more State agencies to~~  
15 ~~provide or arrange for support to the Council. The members~~  
16 ~~of the SHIP Implementation Coordination Council for each~~  
17 ~~State Health Improvement Plan shall serve until the~~  
18 ~~delivery of the subsequent State Health Improvement Plan,~~  
19 ~~whereupon a new Council shall be appointed. Members of the~~  
20 ~~SHIP Planning Team may serve on the SHIP Implementation~~  
21 ~~Coordination Council if so appointed by the Governor.~~

22 Upon the delivery of each State Health Assessment and  
23 State Health Improvement Plan, the SHA and SHIP  
24 Partnership ~~The SHIP Implementation Coordination Council~~  
25 shall coordinate the efforts and engagement of the public,  
26 private, and voluntary sector stakeholders and

1 participants in the public health system to implement each  
2 SHIP. The Partnership Council shall serve as a forum for  
3 collaborative action; coordinate existing and new  
4 initiatives; develop detailed implementation steps, with  
5 mechanisms for action; implement specific projects;  
6 identify public and private funding sources at the local,  
7 State and federal level; promote public awareness of the  
8 SHIP; and advocate for the implementation of the SHIP. The  
9 SHA and SHIP Partnership shall implement strategies to  
10 ensure that individuals and communities affected by health  
11 disparities and health inequities are engaged in the  
12 process throughout the 5-year cycle. The SHA and SHIP  
13 Partnership shall regularly evaluate and update the State  
14 Health Assessment and track implementation of the State  
15 Health Improvement Plan with revisions as necessary. The  
16 SHA and SHIP Partnership shall not have the authority to  
17 direct any public or private entity to take specific  
18 action to implement the SHIP.  ~~; and develop an annual~~  
19 ~~report to the Governor, General Assembly, and public~~  
20 ~~regarding the status of implementation of the SHIP. The~~  
21 ~~Council shall not, however, have the authority to direct~~  
22 ~~any public or private entity to take specific action to~~  
23 ~~implement the SHIP.~~

24 The SHA and SHIP Partnership shall regularly evaluate  
25 and update the State Health Assessment and track  
26 implementation of the State Health Improvement Plan with

1 revisions as necessary. The State Board of Health shall  
2 submit a report by January 31 of each year on the status of  
3 State Health Improvement Plan implementation and community  
4 engagement activities to the Governor, General Assembly,  
5 and public. In the fifth year, the report may be  
6 consolidated into the new State Health Assessment and  
7 State Health Improvement Plan.

8 (11) Upon the request of the Governor, to recommend to  
9 the Governor candidates for Director of Public Health when  
10 vacancies occur in the position.

11 (12) To adopt bylaws for the conduct of its own  
12 business, including the authority to establish ad hoc  
13 committees to address specific public health programs  
14 requiring resolution.

15 (13) (Blank).

16 Upon appointment, the Board shall elect a chairperson from  
17 among its members.

18 Members of the Board shall receive compensation for their  
19 services at the rate of \$150 per day, not to exceed \$10,000 per  
20 year, as designated by the Director for each day required for  
21 transacting the business of the Board and shall be reimbursed  
22 for necessary expenses incurred in the performance of their  
23 duties. The Board shall meet from time to time at the call of  
24 the Department, at the call of the chairperson, or upon the  
25 request of 3 of its members, but shall not meet less than 4  
26 times per year.

1 (b) (Blank).

2 (c) An Advisory Board on Necropsy Service to Coroners,  
3 which shall counsel and advise with the Director on the  
4 administration of the Autopsy Act. The Advisory Board shall  
5 consist of 11 members, including a senior citizen age 60 or  
6 over, appointed by the Governor, one of whom shall be  
7 designated as chairman by a majority of the members of the  
8 Board. In the appointment of the first Board the Governor  
9 shall appoint 3 members to serve for terms of 1 year, 3 for  
10 terms of 2 years, and 3 for terms of 3 years. The members first  
11 appointed under Public Act 83-1538 shall serve for a term of 3  
12 years. All members appointed thereafter shall be appointed for  
13 terms of 3 years, except that when an appointment is made to  
14 fill a vacancy, the appointment shall be for the remaining  
15 term of the position vacant. The members of the Board shall be  
16 citizens of the State of Illinois. In the appointment of  
17 members of the Advisory Board the Governor shall appoint 3  
18 members who shall be persons licensed to practice medicine and  
19 surgery in the State of Illinois, at least 2 of whom shall have  
20 received post-graduate training in the field of pathology; 3  
21 members who are duly elected coroners in this State; and 5  
22 members who shall have interest and abilities in the field of  
23 forensic medicine but who shall be neither persons licensed to  
24 practice any branch of medicine in this State nor coroners. In  
25 the appointment of medical and coroner members of the Board,  
26 the Governor shall invite nominations from recognized medical



1 and coroners organizations in this State respectively. Board  
2 members, while serving on business of the Board, shall receive  
3 actual necessary travel and subsistence expenses while so  
4 serving away from their places of residence.

5 (Source: P.A. 98-463, eff. 8-16-13; 99-527, eff. 1-1-17;  
6 revised 7-17-19.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.