



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2392

Introduced 2/26/2021, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-565

was 20 ILCS 5/6.06

Amends the Civil Administrative Code of Illinois. Provides that the Department of Public Health's State Health Assessment and State Health Improvement Plan shall: reduce health disparities and inequities, and promote health equity; conform to national Public Health Accreditation Board Standards; have a development and implementation process that shall be carried out with the administrative and operational support of the Department; and include comprehensive, broad-based data and information from a variety of sources on health status and the public health system. Provides that the Director of Public Health shall appoint a minimum of 15 other members of the SHA and SHIP Partnership (rather than a Planning Team). Provides that the SHA and SHIP Partnership shall develop and implement a community engagement process that facilitates input into the development of the State Health Assessment and State Health Improvement Plan. Provides that the SHA and SHIP Partnership shall perform specified functions of the Planning Team and the SHIP Implementation Coordination Council. Requires the State Board of Health to submit a report by January 31 of each year on the status of State Health Improvement Plan implementation and community engagement activities to the Governor, General Assembly, and public. Effective immediately.

LRB102 12768 CPF 21920 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 2021, and June 30, 2022, and then every 5 years  
21 thereafter.

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

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

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

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

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

25 (iii) priorities and strategies developed at the  
26 community level through the Illinois Project for Local

1 Assessment of Needs (IPLAN) and other local and  
2 regional community health needs assessments;

3 (iv) qualitative data representing the  
4 population's input on health concerns and well-being,  
5 including the perceptions of people experiencing  
6 disparities and health inequities;

7 (v) information on health disparities and health  
8 inequities; and

9 (vi) information on public health system strengths  
10 and areas for improvement.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

25 The State Board of Health shall submit a report by  
26 January 31 of each year on the status of State Health

1 Improvement Plan implementation and community engagement  
2 activities to the Governor, General Assembly, and public.  
3 In the fifth year, the report may be consolidated into the  
4 new State Health Assessment and State Health Improvement  
5 Plan.

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

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

13 (13) (Blank).

14 Upon appointment, the Board shall elect a chairperson from  
15 among its members.

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

25 (b) (Blank).

26 (c) An Advisory Board on Necropsy Service to Coroners,

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



1 actual necessary travel and subsistence expenses while so  
2 serving away from their places of residence.

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

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.