

1 AN ACT concerning health improvement.

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 citizens of Illinois are entitled  
10 to lead healthy lives. Governmental public health has a  
11 specific responsibility to ensure that a system is in place to  
12 allow the public health mission to be achieved. To develop a  
13 system requires certain core functions to be performed by  
14 government. The State Board of Health is to assume the  
15 leadership role in advising the Director in meeting the  
16 following functions:

17 (1) Needs assessment.

18 (2) Statewide health objectives.

19 (3) Policy development.

20 (4) Assurance of access to necessary services.

21 There shall be a State Board of Health composed of 17  
22 persons, all of whom shall be appointed by the Governor, with  
23 the advice and consent of the Senate for those appointed by the  
24 Governor on and after June 30, 1998, and one of whom shall be a  
25 senior citizen age 60 or over. Five members shall be physicians  
26 licensed to practice medicine in all its branches, one  
27 representing a medical school faculty, one who is board  
28 certified in preventive medicine, and one ~~2~~ who is ~~are~~ engaged  
29 in private practice. One member shall be a dentist; one an  
30 environmental health practitioner; one a local public health  
31 administrator; one a local board of health member; one a  
32 registered nurse; one a veterinarian; one a public health

1 academician; one a health care industry representative; one a  
2 representative of the business community; one a representative  
3 of the non-profit public interest community; and 2 4 shall be  
4 citizens at large.

5 The terms of Board of Health members shall be 3 years,  
6 except that members shall continue to serve on the Board of  
7 Health until a replacement is appointed. Upon the effective  
8 date of this amendatory Act of the 93rd General Assembly, in  
9 the appointment of the Board of Health members appointed to  
10 vacancies or positions with terms expiring on or before  
11 December 31, 2004, the Governor shall appoint up to 6 members  
12 to serve for terms of 3 years; up to 6 members to serve for  
13 terms of 2 years; and up to 5 members to serve for a term of one  
14 year, so that the term of no more than 6 members expire in the  
15 same year. In the appointment of the first Board of Health  
16 members appointed after September 19, 1991 (the effective date  
17 of Public Act 87-633), the Governor shall appoint 5 members to  
18 serve for terms of 5 years; 5 members to serve for terms of 2  
19 years; and 5 members to serve for a term of one year. Members  
20 appointed thereafter shall be appointed for terms of 3 years,  
21 except that when an appointment is made to fill a vacancy, the  
22 appointment shall be for the remaining term of the position  
23 vacated. The initial terms for the 2 additional members of the  
24 board who are citizens at large appointed under Public Act  
25 90-607 shall be for 3 years each, with these positions  
26 thereafter being filled as with other members appointed by the  
27 Governor. All members shall be legal residents of the State of  
28 Illinois. The duties of the Board shall include, but not be  
29 limited to, the following:

30 (1) To advise the Department of ways to encourage  
31 public understanding and support of the Department's  
32 programs.

33 (2) To evaluate all boards, councils, committees,  
34 authorities, and bodies advisory to, or an adjunct of, the  
35 Department of Public Health or its Director for the purpose  
36 of recommending to the Director one or more of the

1 following:

2 (i) The elimination of bodies whose activities are  
3 not consistent with goals and objectives of the  
4 Department.

5 (ii) The consolidation of bodies whose activities  
6 encompass compatible programmatic subjects.

7 (iii) The restructuring of the relationship  
8 between the various bodies and their integration  
9 within the organizational structure of the Department.

10 (iv) The establishment of new bodies deemed  
11 essential to the functioning of the Department.

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

14 (4) To advise the Director regarding public health  
15 policy, and to make health policy recommendations  
16 regarding priorities to the Governor through the Director.

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

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

21 (7) To make recommendations to the Governor through the  
22 Director regarding the coordination of State public health  
23 activities with other State and local public health  
24 agencies and organizations.

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

28 (9) To review the final draft of all proposed  
29 administrative rules, other than emergency or preemptory  
30 rules and those rules that another advisory body must  
31 approve or review within a statutorily defined time period,  
32 of the Department after September 19, 1991 (the effective  
33 date of Public Act 87-633). The Board shall review the  
34 proposed rules within 90 days of submission by the  
35 Department. The Department shall take into consideration  
36 any comments and recommendations of the Board regarding the

1 proposed rules prior to submission to the Secretary of  
2 State for initial publication. If the Department disagrees  
3 with the recommendations of the Board, it shall submit a  
4 written response outlining the reasons for not accepting  
5 the recommendations.

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

18 (10) To deliver to the Governor for presentation to the  
19 General Assembly a State Health Improvement Plan. The first  
20 and second such plans shall be delivered to the Governor on  
21 January 1, 2006 and on January 1, 2009 respectively, and  
22 then every 4 years thereafter.

23 The Plan shall recommend priorities and strategies to  
24 improve the public health system and the health status of  
25 Illinois residents, taking into consideration national  
26 health objectives and system standards as frameworks for  
27 assessment.

28 The Plan shall also take into consideration priorities  
29 and strategies developed at the community level through the  
30 Illinois Project for Local Assessment of Needs (IPLAN) and  
31 any regional health improvement plans that may be  
32 developed. The Plan shall focus on prevention as a key  
33 strategy for long-term health improvement in Illinois.

34 The Plan shall examine and make recommendations on the  
35 contributions and strategies of the public and private  
36 sectors for improving health status and the public health

1 system in the State. In addition to recommendations on  
2 health status improvement priorities and strategies for  
3 the population of the State as a whole, the Plan shall make  
4 recommendations regarding priorities and strategies for  
5 reducing and eliminating health disparities in Illinois;  
6 including racial, ethnic, gender, age, socio-economic and  
7 geographic disparities.

8 The Director of the Illinois Department of Public  
9 Health shall appoint a Planning Team that includes a range  
10 of public, private, and voluntary sector stakeholders and  
11 participants in the public health system. This Team shall  
12 include: the directors of State agencies with public health  
13 responsibilities (or their designees), including but not  
14 limited to the Illinois Departments of Public Health and  
15 Department of Human Services, representatives of local  
16 health departments, representatives of local community  
17 health partnerships, and individuals with expertise who  
18 represent an array of organizations and constituencies  
19 engaged in public health improvement and prevention.

20 The State Board of Health shall hold at least 3 public  
21 hearings addressing drafts of the Plan in representative  
22 geographic areas of the State. Members of the Planning Team  
23 shall receive no compensation for their services, but may  
24 be reimbursed for their necessary expenses. ~~To make~~  
25 ~~recommendations to the Governor through the Director~~  
26 ~~concerning the development and periodic updating of~~  
27 ~~Statewide health objectives encompassing, in part, the~~  
28 ~~periodically published federal health objectives for the~~  
29 ~~nation, which will provide the basis for the policy~~  
30 ~~development and assurance roles of the State Health~~  
31 ~~Department, and to make recommendations to the Governor~~  
32 ~~through the Director regarding legislation and funding~~  
33 ~~necessary to implement the objectives.~~

34 (11) Upon the request of the Governor, to recommend to  
35 the Governor candidates for Director of Public Health when  
36 vacancies occur in the position.

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

5           Upon appointment, the Board shall elect a chairperson from  
6           among its members.

7           Members of the Board shall receive compensation for their  
8           services at the rate of \$150 per day, not to exceed \$10,000 per  
9           year, as designated by the Director for each day required for  
10          transacting the business of the Board and shall be reimbursed  
11          for necessary expenses incurred in the performance of their  
12          duties. The Board shall meet from time to time at the call of  
13          the Department, at the call of the chairperson, or upon the  
14          request of 3 of its members, but shall not meet less than 4  
15          times per year.

16          (b) (Blank).

17          (c) An Advisory Board on Necropsy Service to Coroners,  
18          which shall counsel and advise with the Director on the  
19          administration of the Autopsy Act. The Advisory Board shall  
20          consist of 11 members, including a senior citizen age 60 or  
21          over, appointed by the Governor, one of whom shall be  
22          designated as chairman by a majority of the members of the  
23          Board. In the appointment of the first Board the Governor shall  
24          appoint 3 members to serve for terms of 1 year, 3 for terms of 2  
25          years, and 3 for terms of 3 years. The members first appointed  
26          under Public Act 83-1538 shall serve for a term of 3 years. All  
27          members appointed thereafter shall be appointed for terms of 3  
28          years, except that when an appointment is made to fill a  
29          vacancy, the appointment shall be for the remaining term of the  
30          position vacant. The members of the Board shall be citizens of  
31          the State of Illinois. In the appointment of members of the  
32          Advisory Board the Governor shall appoint 3 members who shall  
33          be persons licensed to practice medicine and surgery in the  
34          State of Illinois, at least 2 of whom shall have received  
35          post-graduate training in the field of pathology; 3 members who  
36          are duly elected coroners in this State; and 5 members who

1 shall have interest and abilities in the field of forensic  
2 medicine but who shall be neither persons licensed to practice  
3 any branch of medicine in this State nor coroners. In the  
4 appointment of medical and coroner members of the Board, the  
5 Governor shall invite nominations from recognized medical and  
6 coroners organizations in this State respectively. Board  
7 members, while serving on business of the Board, shall receive  
8 actual necessary travel and subsistence expenses while so  
9 serving away from their places of residence.

10 (Source: P.A. 90-607, eff. 6-30-98; 91-239, eff. 1-1-00;  
11 91-798, eff. 7-9-00.)