



Sen. Jeffrey M. Schoenberg

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LRB093 18160 RXD 50081 a

1 AMENDMENT TO HOUSE BILL 4612

2 AMENDMENT NO. _____. Amend House Bill 4612 by replacing
3 everything after the enacting clause with the following:

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

1 senior citizen age 60 or over. Five members shall be physicians
2 licensed to practice medicine in all its branches, one
3 representing a medical school faculty, one who is board
4 certified in preventive medicine, and one ~~2~~ who is ~~are~~ engaged
5 in private practice. One member shall be a dentist; one an
6 environmental health practitioner; one a local public health
7 administrator; one a local board of health member; one a
8 registered nurse; one a veterinarian; one a public health
9 academician; one a health care industry representative; one a
10 representative of the business community; one a representative
11 of the non-profit public interest community; and 2 ~~4~~ shall be
12 citizens at large.

13 On the effective date of this amendatory Act of the 93rd
14 General Assembly, the terms of all members of the State Board
15 of Health shall end and the Governor shall appoint 17 persons
16 to the State Board of Health. Of the first members of the State
17 Board of Health appointed after the effective date of this
18 amendatory Act of the 93rd General Assembly, the Governor shall
19 appoint 6 members to serve for terms of 3 years, 6 members to
20 serve for terms of 2 years, and 5 members to serve for terms of
21 one year. Members appointed thereafter shall be appointed for
22 terms of 3 years, except that when an appointment is made to
23 fill a vacancy, the appointment shall be for the remaining term
24 of the position vacated. In the appointment of the first Board
25 of Health members appointed after September 19, 1991 (the
26 effective date of Public Act 87-633), the Governor shall
27 appoint 5 members to serve for terms of 5 years; 5 members to
28 serve for terms of 2 years; and 5 members to serve for a term of
29 one year. Members appointed thereafter shall be appointed for
30 terms of 3 years, except that when an appointment is made to
31 fill a vacancy, the appointment shall be for the remaining term
32 of the position vacated. The initial terms for the 2 additional
33 members of the board who are citizens at large appointed under
34 Public Act 90-607 shall be for 3 years each, with these

1 ~~positions thereafter being filled as with other members~~
2 ~~appointed by the Governor.~~ All members shall be legal residents
3 of the State of Illinois. The duties of the Board shall
4 include, but not be limited to, the following:

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

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

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

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

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

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

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

25 (4) To advise the Director regarding public health
26 policy, and to make health policy recommendations
27 regarding priorities to the Governor through the Director.

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

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

32 (7) To make recommendations to the Governor through the
33 Director regarding the coordination of State public health
34 activities with other State and local public health

1 agencies and organizations.

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

5 (9) To review the final draft of all proposed
6 administrative rules, other than emergency or preemptory
7 rules and those rules that another advisory body must
8 approve or review within a statutorily defined time period,
9 of the Department after September 19, 1991 (the effective
10 date of Public Act 87-633). The Board shall review the
11 proposed rules within 90 days of submission by the
12 Department. The Department shall take into consideration
13 any comments and recommendations of the Board regarding the
14 proposed rules prior to submission to the Secretary of
15 State for initial publication. If the Department disagrees
16 with the recommendations of the Board, it shall submit a
17 written response outlining the reasons for not accepting
18 the recommendations.

19 In the case of proposed administrative rules or
20 amendments to administrative rules regarding immunization
21 of children against preventable communicable diseases
22 designated by the Director under the Communicable Disease
23 Prevention Act, after the Immunization Advisory Committee
24 has made its recommendations, the Board shall conduct 3
25 public hearings, geographically distributed throughout the
26 State. At the conclusion of the hearings, the State Board
27 of Health shall issue a report, including its
28 recommendations, to the Director. The Director shall take
29 into consideration any comments or recommendations made by
30 the Board based on these hearings.

31 (10) To deliver to the Governor for presentation to the
32 General Assembly a State Health Improvement Plan. The first
33 and second such plans shall be delivered to the Governor on
34 January 1, 2006 and on January 1, 2009 respectively, and

1 then every 4 years thereafter.

2 The Plan shall recommend priorities and strategies to
3 improve the public health system and the health status of
4 Illinois residents, taking into consideration national
5 health objectives and system standards as frameworks for
6 assessment.

7 The Plan shall also take into consideration priorities
8 and strategies developed at the community level through the
9 Illinois Project for Local Assessment of Needs (IPLAN) and
10 any regional health improvement plans that may be
11 developed. The Plan shall focus on prevention as a key
12 strategy for long-term health improvement in Illinois.

13 The Plan shall examine and make recommendations on the
14 contributions and strategies of the public and private
15 sectors for improving health status and the public health
16 system in the State. In addition to recommendations on
17 health status improvement priorities and strategies for
18 the population of the State as a whole, the Plan shall make
19 recommendations regarding priorities and strategies for
20 reducing and eliminating health disparities in Illinois;
21 including racial, ethnic, gender, age, socio-economic and
22 geographic disparities.

23 The Director of the Illinois Department of Public
24 Health shall appoint a Planning Team that includes a range
25 of public, private, and voluntary sector stakeholders and
26 participants in the public health system. This Team shall
27 include: the directors of State agencies with public health
28 responsibilities (or their designees), including but not
29 limited to the Illinois Departments of Public Health and
30 Department of Human Services, representatives of local
31 health departments, representatives of local community
32 health partnerships, and individuals with expertise who
33 represent an array of organizations and constituencies
34 engaged in public health improvement and prevention.

1 The State Board of Health shall hold at least 3 public
2 hearings addressing drafts of the Plan in representative
3 geographic areas of the State. Members of the Planning Team
4 shall receive no compensation for their services, but may
5 be reimbursed for their necessary expenses. ~~To make~~
6 ~~recommendations to the Governor through the Director~~
7 ~~concerning the development and periodic updating of~~
8 ~~Statewide health objectives encompassing, in part, the~~
9 ~~periodically published federal health objectives for the~~
10 ~~nation, which will provide the basis for the policy~~
11 ~~development and assurance roles of the State Health~~
12 ~~Department, and to make recommendations to the Governor~~
13 ~~through the Director regarding legislation and funding~~
14 ~~necessary to implement the objectives.~~

15 (11) Upon the request of the Governor, to recommend to
16 the Governor candidates for Director of Public Health when
17 vacancies occur in the position.

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

22 Upon appointment, the Board shall elect a chairperson from
23 among its members.

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

33 (b) (Blank).

34 (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 shall
7 appoint 3 members to serve for terms of 1 year, 3 for terms of 2
8 years, and 3 for terms of 3 years. The members first appointed
9 under Public Act 83-1538 shall serve for a term of 3 years. All
10 members appointed thereafter shall be appointed for terms of 3
11 years, except that when an appointment is made to fill a
12 vacancy, the appointment shall be for the remaining term of the
13 position vacant. The members of the Board shall be citizens of
14 the State of Illinois. In the appointment of members of the
15 Advisory Board the Governor shall appoint 3 members who shall
16 be persons licensed to practice medicine and surgery in the
17 State of Illinois, at least 2 of whom shall have received
18 post-graduate training in the field of pathology; 3 members who
19 are duly elected coroners in this State; and 5 members who
20 shall have interest and abilities in the field of forensic
21 medicine but who shall be neither persons licensed to practice
22 any branch of medicine in this State nor coroners. In the
23 appointment of medical and coroner members of the Board, the
24 Governor shall invite nominations from recognized medical and
25 coroners organizations in this State respectively. Board
26 members, while serving on business of the Board, shall receive
27 actual necessary travel and subsistence expenses while so
28 serving away from their places of residence.

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