

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 Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-433 as follows:

7 (20 ILCS 2310/2310-433 new)

8 Sec. 2310-433. COPD issues.

9 (a) The Department shall designate a member of its staff to
10 handle issues related to Chronic Obstructive Pulmonary Disease
11 (COPD), which are not currently or adequately addressed by the
12 Department.

13 (b) The staff person's duties may include, without
14 limitation, the following:

15 (1) the improvement of data-collection systems and
16 surveillance systems with respect to COPD;

17 (2) the increase of Department programs related to
18 education about COPD and to the diagnosis and treatment of
19 the disease;

20 (3) the identification and removal of barriers to
21 medical care, diagnostic services, and treatment of COPD;
22 and

23 (4) the promotion of the awareness of COPD concerns and

1 the advocacy for the establishment of COPD patient
2 services.

3 (c) Notwithstanding any other rulemaking authority that
4 may exist, neither the Governor nor any agency or agency head
5 under the jurisdiction of the Governor has any authority to
6 make or promulgate rules to implement or enforce the provisions
7 of this amendatory Act of the 95th General Assembly. If,
8 however, the Governor believes that rules are necessary to
9 implement or enforce the provisions of this amendatory Act of
10 the 95th General Assembly, the Governor may suggest rules to
11 the General Assembly by filing them with the Clerk of the House
12 and the Secretary of the Senate and by requesting that the
13 General Assembly authorize such rulemaking by law, enact those
14 suggested rules into law, or take any other appropriate action
15 in the General Assembly's discretion. Nothing contained in this
16 amendatory Act of the 95th General Assembly shall be
17 interpreted to grant rulemaking authority under any other
18 Illinois statute where such authority is not otherwise
19 explicitly given. For the purposes of this subsection, "rules"
20 is given the meaning contained in Section 1-70 of the Illinois
21 Administrative Procedure Act, and "agency" and "agency head"
22 are given the meanings contained in Sections 1-20 and 1-25 of
23 the Illinois Administrative Procedure Act to the extent that
24 such definitions apply to agencies or agency heads under the
25 jurisdiction of the Governor.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.