



Sen. William R. Haine

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LRB099 16139 MJP 46780 a

1 AMENDMENT TO SENATE BILL 2416

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2416 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 public health system  
12 is in place to allow the public health mission to be achieved.  
13 The public health system is the collection of public, private,  
14 and voluntary entities as well as individuals and informal  
15 associations that contribute to the public's health within the  
16 State. To develop a public health system requires certain core

1 functions to be performed by government. The State Board of  
2 Health is to assume the leadership role in advising the  
3 Director in meeting the following functions:

4 (1) Needs assessment.

5 (2) Statewide health objectives.

6 (3) Policy development.

7 (4) Assurance of access to necessary services.

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

25 The terms of Board of Health members shall be 3 years,  
26 except that members shall continue to serve on the Board of

1 Health until a replacement is appointed. Upon the effective  
2 date of this amendatory Act of the 93rd General Assembly, in  
3 the appointment of the Board of Health members appointed to  
4 vacancies or positions with terms expiring on or before  
5 December 31, 2004, the Governor shall appoint up to 6 members  
6 to serve for terms of 3 years; up to 6 members to serve for  
7 terms of 2 years; and up to 5 members to serve for a term of one  
8 year, so that the term of no more than 6 members expire in the  
9 same year. All members shall be legal residents of the State of  
10 Illinois. The duties of the Board shall include, but not be  
11 limited to, the following:

12 (1) To advise the Department of ways to encourage  
13 public understanding and support of the Department's  
14 programs.

15 (2) To evaluate all boards, councils, committees,  
16 authorities, and bodies advisory to, or an adjunct of, the  
17 Department of Public Health or its Director for the purpose  
18 of recommending to the Director one or more of the  
19 following:

20 (i) The elimination of bodies whose activities are  
21 not consistent with goals and objectives of the  
22 Department.

23 (ii) The consolidation of bodies whose activities  
24 encompass compatible programmatic subjects.

25 (iii) The restructuring of the relationship  
26 between the various bodies and their integration

1 within the organizational structure of the Department.

2 (iv) The establishment of new bodies deemed  
3 essential to the functioning of the Department.

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

6 (4) To advise the Director regarding public health  
7 policy, and to make health policy recommendations  
8 regarding priorities to the Governor through the Director.

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

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

13 (7) To make recommendations to the Governor through the  
14 Director regarding the coordination of State public health  
15 activities with other State and local public health  
16 agencies and organizations.

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

20 ~~(9) To review the final draft of all proposed~~  
21 ~~administrative rules, other than emergency or preemptory~~  
22 ~~rules and those rules that another advisory body must~~  
23 ~~approve or review within a statutorily defined time period,~~  
24 ~~of the Department after September 19, 1991 (the effective~~  
25 ~~date of Public Act 87-633). The Board shall review the~~  
26 ~~proposed rules within 90 days of submission by the~~

1 ~~Department. The Department shall take into consideration~~  
2 ~~any comments and recommendations of the Board regarding the~~  
3 ~~proposed rules prior to submission to the Secretary of~~  
4 ~~State for initial publication. If the Department disagrees~~  
5 ~~with the recommendations of the Board, it shall submit a~~  
6 ~~written response outlining the reasons for not accepting~~  
7 ~~the recommendations.~~

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

20 (10) To deliver to the Governor for presentation to the  
21 General Assembly a State Health Improvement Plan. The first  
22 3 such plans shall be delivered to the Governor on January  
23 1, 2006, January 1, 2009, and January 1, 2016 and then  
24 every 5 years thereafter.

25 The Plan shall recommend priorities and strategies to  
26 improve the public health system and the health status of

1 Illinois residents, taking into consideration national  
2 health objectives and system standards as frameworks for  
3 assessment.

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

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

20 The Director of the Illinois Department of Public  
21 Health shall appoint a Planning Team that includes a range  
22 of public, private, and voluntary sector stakeholders and  
23 participants in the public health system. This Team shall  
24 include: the directors of State agencies with public health  
25 responsibilities (or their designees), including but not  
26 limited to the Illinois Departments of Public Health and

1 Department of Human Services, representatives of local  
2 health departments, representatives of local community  
3 health partnerships, and individuals with expertise who  
4 represent an array of organizations and constituencies  
5 engaged in public health improvement and prevention.

6 The State Board of Health shall hold at least 3 public  
7 hearings addressing drafts of the Plan in representative  
8 geographic areas of the State. Members of the Planning Team  
9 shall receive no compensation for their services, but may  
10 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 shall  
16 include the directors of State agencies and entities with  
17 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. The

1 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 agency  
12 representative and one other non-governmental member as  
13 co-chairs of the Council. The Governor shall designate a  
14 member of the Governor's office to serve as liaison to the  
15 Council and one or more State agencies to provide or  
16 arrange for support to the Council. The members of the SHIP  
17 Implementation Coordination Council for each State Health  
18 Improvement Plan shall serve until the delivery of the  
19 subsequent State Health Improvement Plan, whereupon a new  
20 Council shall be appointed. Members of the SHIP Planning  
21 Team may serve on the SHIP Implementation Coordination  
22 Council if so appointed by the Governor.

23 The SHIP Implementation Coordination Council shall  
24 coordinate the efforts and engagement of the public,  
25 private, and voluntary sector stakeholders and  
26 participants in the public health system to implement each



1 SHIP. The Council shall serve as a forum for collaborative  
2 action; coordinate existing and new initiatives; develop  
3 detailed implementation steps, with mechanisms for action;  
4 implement specific projects; identify public and private  
5 funding sources at the local, State and federal level;  
6 promote public awareness of the SHIP; advocate for the  
7 implementation of the SHIP; and develop an annual report to  
8 the Governor, General Assembly, and public regarding the  
9 status of implementation of the SHIP. The Council shall  
10 not, however, have the authority to direct any public or  
11 private entity to take specific action to implement the  
12 SHIP.

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

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

20 (13) To review and comment upon the Comprehensive  
21 Health Plan submitted by the Center for Comprehensive  
22 Health Planning as provided under Section 2310-217 of the  
23 Department of Public Health Powers and Duties Law of the  
24 Civil Administrative Code of Illinois.

25 Upon appointment, the Board shall elect a chairperson from  
26 among its members.

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

10           (b) (Blank).

11           (c) An Advisory Board on Necropsy Service to Coroners,  
12 which shall counsel and advise with the Director on the  
13 administration of the Autopsy Act. The Advisory Board shall  
14 consist of 11 members, including a senior citizen age 60 or  
15 over, appointed by the Governor, one of whom shall be  
16 designated as chairman by a majority of the members of the  
17 Board. In the appointment of the first Board the Governor shall  
18 appoint 3 members to serve for terms of 1 year, 3 for terms of 2  
19 years, and 3 for terms of 3 years. The members first appointed  
20 under Public Act 83-1538 shall serve for a term of 3 years. All  
21 members appointed thereafter shall be appointed for terms of 3  
22 years, except that when an appointment is made to fill a  
23 vacancy, the appointment shall be for the remaining term of the  
24 position vacant. The members of the Board shall be citizens of  
25 the State of Illinois. In the appointment of members of the  
26 Advisory Board the Governor shall appoint 3 members who shall

1 be persons licensed to practice medicine and surgery in the  
2 State of Illinois, at least 2 of whom shall have received  
3 post-graduate training in the field of pathology; 3 members who  
4 are duly elected coroners in this State; and 5 members who  
5 shall have interest and abilities in the field of forensic  
6 medicine but who shall be neither persons licensed to practice  
7 any branch of medicine in this State nor coroners. In the  
8 appointment of medical and coroner members of the Board, the  
9 Governor shall invite nominations from recognized medical and  
10 coroners organizations in this State respectively. Board  
11 members, while serving on business of the Board, shall receive  
12 actual necessary travel and subsistence expenses while so  
13 serving away from their places of residence.

14 (Source: P.A. 97-734, eff. 1-1-13; 97-810, eff. 1-1-13; 98-463,  
15 eff. 8-16-13.)

16 Section 10. The Department of Public Health Powers and  
17 Duties Law of the Civil Administrative Code of Illinois is  
18 amended by adding Section 2310-197 as follows:

19 (20 ILCS 2310/2310-197 new)

20 Sec. 2310-197. Copy of proposed rulemaking. The Department  
21 shall provide copies to the members of the State Board of  
22 Health of any proposed rulemaking that is submitted to the  
23 Secretary of State for initial publication."