

SB3822



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3822

Introduced 1/21/2022, by Sen. Win Stoller

SYNOPSIS AS INTRODUCED:

See Index

Amends and repeals various Acts by abolishing various State governmental entities to effect changes in the statutes to conform the statutes to the changes in law made by Executive Order 2018-11 and by making other conforming changes. Excludes changes made by the Executive Order to the Equity in Long-term Care Quality Act. Effective immediately.

LRB102 22344 RLC 31481 b

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 1. This Act effects the changes in the statutes
5 that are necessary to conform the statutes to the changes in
6 law made by Executive Order 2018-11 other than changes to the
7 Equity in Long-term Care Quality Act. Any transitional matter
8 concerning an entity abolished in this Act that has not been
9 completed on the effective date of this Act shall be completed
10 in accordance with Sections II and IV of Executive Order
11 2018-11.

12 Section 5. The State Agency Web Site Act is amended by
13 changing Section 10 as follows:

14 (5 ILCS 177/10)

15 Sec. 10. Cookies and other invasive tracking programs.

16 (a) Except as otherwise provided in subsection (b), State
17 agency Web sites may not use permanent cookies or any other
18 invasive tracking programs that monitor and track Web site
19 viewing habits; however, a State agency Web site may use
20 transactional cookies that facilitate business transactions.

21 (b) Permanent cookies used by State agency Web sites may
22 be exempt from the prohibition in subsection (a) if they meet

1 the following criteria:

2 (1) The use of permanent cookies adds value to the
3 user otherwise not available;

4 (2) The permanent cookies are not used to monitor and
5 track web site viewing habits unless all types of
6 information collected and the State's use of that
7 information add user value and are disclosed through a
8 comprehensive online privacy statement.

9 ~~The Internet Privacy Task Force established under Section 15~~
10 ~~shall define the exemption and limitations of this subsection~~
11 ~~(b) in practice.~~

12 (Source: P.A. 93-117, eff. 1-1-04.)

13 (5 ILCS 177/15 rep.)

14 Section 10. The State Agency Web Site Act is amended by
15 repealing Section 15.

16 Section 15. The Department of Commerce and Economic
17 Opportunity Law of the Civil Administrative Code of Illinois
18 is amended by changing Section 605-300 as follows:

19 (20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

20 Sec. 605-300. Economic ~~and business~~ development plans ~~+~~
21 ~~Illinois Business Development Council. (a) Economic~~
22 ~~development plans.~~ The Department shall develop a strategic
23 economic development plan for the State by July 1, 2014. By no

1 later than July 1, 2015, and by July 1 annually thereafter, the
2 Department shall make modifications to the plan as
3 modifications are warranted by changes in economic conditions
4 or by other factors, including changes in policy. In addition
5 to the annual modification, the plan shall be reviewed and
6 redeveloped in full every 5 years. In the development of the
7 annual economic development plan, the Department shall consult
8 with representatives of the private sector, other State
9 agencies, academic institutions, local economic development
10 organizations, local governments, and not-for-profit
11 organizations. The annual economic development plan shall set
12 specific, measurable, attainable, relevant, and time-sensitive
13 goals and shall include a focus on areas of high unemployment
14 or poverty.

15 The term "economic development" shall be construed broadly
16 by the Department and may include, but is not limited to, job
17 creation, job retention, tax base enhancements, development of
18 human capital, workforce productivity, critical
19 infrastructure, regional competitiveness, social inclusion,
20 standard of living, environmental sustainability, energy
21 independence, quality of life, the effective use of financial
22 incentives, the utilization of public private partnerships
23 where appropriate, and other metrics determined by the
24 Department.

25 The plan shall be based on relevant economic data, focus
26 on economic development as prescribed by this Section, and

1 emphasize strategies to retain and create jobs.

2 The plan shall identify and develop specific strategies
3 for utilizing the assets of regions within the State defined
4 as counties and municipalities or other political subdivisions
5 in close geographical proximity that share common economic
6 traits such as commuting zones, labor market areas, or other
7 economically integrated characteristics.

8 If the plan includes strategies that have a fiscal impact
9 on the Department or any other agency, the plan shall include a
10 detailed description of the estimated fiscal impact of such
11 strategies.

12 Prior to publishing the plan in its final form, the
13 Department shall allow for a reasonable time for public input.

14 The Department shall transmit copies of the economic
15 development plan to the Governor and the General Assembly no
16 later than July 1, 2014, and by July 1 annually thereafter. The
17 plan and its corresponding modifications shall be published
18 and made available to the public in both paper and electronic
19 media, on the Department's website, and by any other method
20 that the Department deems appropriate.

21 The Department shall annually submit legislation to
22 implement the strategic economic development plan or
23 modifications to the strategic economic development plan to
24 the Governor, the President and Minority Leader of the Senate,
25 and the Speaker and the Minority Leader of the House of
26 Representatives. The legislation shall be in the form of one

1 or more substantive bills drafted by the Legislative Reference
2 Bureau.

3 ~~(b) Business development plans; Illinois Business~~
4 ~~Development Council.~~

5 ~~(1) There is created the Illinois Business Development~~
6 ~~Council, hereinafter referred to as the Council. The~~
7 ~~Council shall consist of the Director, who shall serve as~~
8 ~~co chairperson, and 12 voting members who shall be~~
9 ~~appointed by the Governor with the advice and consent of~~
10 ~~the Senate.~~

11 ~~(A) The voting members of the Council shall~~
12 ~~include one representative from each of the following~~
13 ~~businesses and groups: small business, coal,~~
14 ~~healthcare, large manufacturing, small or specialized~~
15 ~~manufacturing, agriculture, high technology or applied~~
16 ~~science, local economic development entities, private~~
17 ~~sector organized labor, a local or state business~~
18 ~~association or chamber of commerce.~~

19 ~~(B) There shall be 2 at large voting members who~~
20 ~~reside within areas of high unemployment within~~
21 ~~counties or municipalities that have had an annual~~
22 ~~average unemployment rate of at least 120% of the~~
23 ~~State's annual average unemployment rate as reported~~
24 ~~by the Department of Employment Security for the 5~~
25 ~~years preceding the date of appointment.~~

26 ~~(2) All appointments shall be made in a geographically~~

1 ~~diverse manner.~~

2 ~~(3) For the initial appointments to the Council, 6~~
3 ~~voting members shall be appointed to serve a 2-year term~~
4 ~~and 6 voting members shall be appointed to serve a 4-year~~
5 ~~term. Thereafter, all appointments shall be for terms of 4~~
6 ~~years. The initial term of voting members shall commence~~
7 ~~on the first Wednesday in February 2014. Thereafter, the~~
8 ~~terms of voting members shall commence on the first~~
9 ~~Wednesday in February, except in the case of an~~
10 ~~appointment to fill a vacancy. Vacancies occurring among~~
11 ~~the members shall be filled in the same manner as the~~
12 ~~original appointment for the remainder of the unexpired~~
13 ~~term. For a vacancy occurring when the Senate is not in~~
14 ~~session, the Governor may make a temporary appointment~~
15 ~~until the next meeting of the Senate when a person shall be~~
16 ~~nominated to fill the office, and, upon confirmation by~~
17 ~~the Senate, he or she shall hold office during the~~
18 ~~remainder of the term. A vacancy in membership does not~~
19 ~~impair the ability of a quorum to exercise all rights and~~
20 ~~perform all duties of the Council. A member is eligible~~
21 ~~for reappointment.~~

22 ~~(4) Members shall serve without compensation, but may~~
23 ~~be reimbursed for necessary expenses incurred in the~~
24 ~~performance of their duties from funds appropriated for~~
25 ~~that purpose.~~

26 ~~(5) In addition, the following shall serve as ex~~

1 ~~officio, non-voting members of the Council in order to~~
2 ~~provide specialized advice and support to the Council: the~~
3 ~~Secretary of Transportation, or his or her designee; the~~
4 ~~Director of Employment Security, or his or her designee;~~
5 ~~the Executive Director of the Illinois Finance Authority,~~
6 ~~or his or her designee; the Director of Agriculture, or~~
7 ~~his or her designee; the Director of Revenue, or his or her~~
8 ~~designee; the Director of Labor, or his or her designee;~~
9 ~~and the Director of the Environmental Protection Agency,~~
10 ~~or his or her designee. Ex officio members shall provide~~
11 ~~staff and technical assistance to the Council when~~
12 ~~appropriate.~~

13 ~~(6) In addition to the Director, the voting members~~
14 ~~shall elect a co-chairperson.~~

15 ~~(7) The Council shall meet at least twice annually and~~
16 ~~at such other times as the co-chairpersons or any 5 voting~~
17 ~~members consider necessary. Seven voting members shall~~
18 ~~constitute a quorum of the Council.~~

19 ~~(8) The Department shall provide staff assistance to~~
20 ~~the Council.~~

21 ~~(9) The Council shall provide the Department relevant~~
22 ~~information in a timely manner pursuant to its duties as~~
23 ~~enumerated in this Section that can be used by the~~
24 ~~Department to enhance the State's strategic economic~~
25 ~~development plan.~~

26 ~~(10) The Council shall:~~

1 ~~(A) Develop an overall strategic business~~
2 ~~development plan for the State of Illinois and update~~
3 ~~the plan at least annually; that plan shall include,~~
4 ~~without limitation, (i) an assessment of the economic~~
5 ~~development practices of states that border Illinois~~
6 ~~and (ii) recommendations for best practices with~~
7 ~~respect to economic development, business incentives,~~
8 ~~business attraction, and business retention for~~
9 ~~counties in Illinois that border at least one other~~
10 ~~state.~~

11 ~~(B) Develop business marketing plans for the State~~
12 ~~of Illinois to effectively solicit new company~~
13 ~~investment and existing business expansion. Insofar as~~
14 ~~allowed under the Illinois Procurement Code, and~~
15 ~~subject to appropriations made by the General Assembly~~
16 ~~for such purposes, the Council may assist the~~
17 ~~Department in the procurement of outside vendors to~~
18 ~~carry out such marketing plans.~~

19 ~~(C) Seek input from local economic development~~
20 ~~officials to develop specific strategies to~~
21 ~~effectively link State and local business development~~
22 ~~and marketing efforts focusing on areas of high~~
23 ~~unemployment or poverty.~~

24 ~~(D) Provide the Department with advice on~~
25 ~~strategic business development and business marketing~~
26 ~~for the State of Illinois.~~

1 ~~(E) Provide the Department research and recommend~~
2 ~~best practices for developing investment tools for~~
3 ~~business attraction and retention.~~

4 (Source: P.A. 98-397, eff. 8-16-13; 98-756, eff. 7-16-14;
5 98-888, eff. 8-15-14.)

6 (20 ILCS 605/605-360 rep.)

7 (20 ILCS 605/605-425 rep.)

8 (20 ILCS 605/605-1000 rep.)

9 Section 20. The Department of Commerce and Economic
10 Opportunity Law of the Civil Administrative Code of Illinois
11 is amended by repealing Sections 605-360, 605-425, and
12 605-1000.

13 Section 25. The Department of Public Health Powers and
14 Duties Law of the Civil Administrative Code of Illinois is
15 amended by changing Section 2310-376 as follows:

16 (20 ILCS 2310/2310-376)

17 Sec. 2310-376. Hepatitis education and outreach.

18 (a) The Illinois General Assembly finds and declares the
19 following:

20 (1) The World Health Organization characterizes
21 hepatitis as a disease of primary concern to humanity.

22 (2) Hepatitis is considered a silent killer; no
23 recognizable signs or symptoms occur until severe liver

1 damage has occurred.

2 (3) Studies indicate that nearly 4 million Americans
3 (1.8 percent of the population) carry the virus HCV that
4 causes the disease.

5 (4) 30,000 acute new infections occur each year in the
6 United States, and only 25 to 30 percent are diagnosed.

7 (5) 8,000 to 10,000 Americans die from the disease
8 each year.

9 (6) 200,000 Illinois residents may be carriers and
10 could develop the debilitating and potentially deadly
11 liver disease.

12 (7) Inmates of correctional facilities have a higher
13 incidence of hepatitis and, upon their release, present a
14 significant health risk to the general population.

15 (8) Illinois members of the armed services are subject
16 to an increased risk of contracting hepatitis due to their
17 possible receipt of contaminated blood during a
18 transfusion occurring for the treatment of wounds and due
19 to their service in areas of the World where the disease is
20 more prevalent and healthcare is less capable of detecting
21 and treating the disease. Many of these service members
22 are unaware of the danger of hepatitis and their increased
23 risk of contracting the disease.

24 (b) Subject to appropriation, the Department shall conduct
25 an education and outreach campaign, in addition to its overall
26 effort to prevent infectious disease in Illinois, in order to

1 raise awareness about and promote prevention of hepatitis.

2 (c) Subject to appropriation, in addition to the education
3 and outreach campaign provided in subsection (b), the
4 Department shall develop and make available to physicians,
5 other health care providers, members of the armed services,
6 and other persons subject to an increased risk of contracting
7 hepatitis, educational materials, in written and electronic
8 forms, on the diagnosis, treatment, and prevention of the
9 disease. These materials shall include the recommendations of
10 the federal Centers for Disease Control and Prevention and any
11 other persons or entities determined by the Department to have
12 particular expertise on hepatitis, including the American
13 Liver Foundation. These materials shall be written in terms
14 that are understandable by members of the general public.

15 ~~(d) The Department shall establish an Advisory Council on~~
16 ~~Hepatitis to develop a hepatitis prevention plan. The~~
17 ~~Department shall specify the membership, members' terms,~~
18 ~~provisions for removal of members, chairmen, and purpose of~~
19 ~~the Advisory Council. The Advisory Council shall consist of~~
20 ~~one representative from each of the following State agencies~~
21 ~~or offices, appointed by the head of each agency or office:~~

22 ~~(1) The Department of Public Health.~~

23 ~~(2) The Department of Public Aid.~~

24 ~~(3) The Department of Corrections.~~

25 ~~(4) The Department of Veterans' Affairs.~~

26 ~~(5) The Department on Aging.~~

1 ~~(6) The Department of Human Services.~~

2 ~~(7) The Illinois State Police.~~

3 ~~(8) The office of the State Fire Marshal.~~

4 ~~The Director shall appoint representatives of~~
5 ~~organizations and advocates in the State of Illinois,~~
6 ~~including, but not limited to, the American Liver Foundation.~~
7 ~~The Director shall also appoint interested members of the~~
8 ~~public, including consumers and providers of health services~~
9 ~~and representatives of local public health agencies, to~~
10 ~~provide recommendations and information to the members of the~~
11 ~~Advisory Council. Members of the Advisory Council shall serve~~
12 ~~on a voluntary, unpaid basis and are not entitled to~~
13 ~~reimbursement for mileage or other costs they incur in~~
14 ~~connection with performing their duties.~~

15 (Source: P.A. 102-538, eff. 8-20-21.)

16 (20 ILCS 2310/2310-76 rep.)

17 (20 ILCS 2310/2310-77 rep.)

18 (20 ILCS 2310/2310-349 rep.)

19 (20 ILCS 2310/2310-560 rep.)

20 Section 30. The Department of Public Health Powers and
21 Duties Law of the Civil Administrative Code of Illinois is
22 amended by repealing Sections 2310-76, 2310-77, 2310-349, and
23 2310-560.

24 Section 35. The Comprehensive Healthcare Workforce

1 Planning Act is amended by changing Sections 5, 10, and 20 as
2 follows:

3 (20 ILCS 2325/5)

4 Sec. 5. Definition ~~Definitions~~. As used in this Act, ~~+~~
5 ~~"Council" means the State Healthcare Workforce Council created~~
6 ~~by this Act.~~ "Department" means the Department of Public
7 Health.

8 (Source: P.A. 97-424, eff. 7-1-12.)

9 (20 ILCS 2325/10)

10 Sec. 10. Purpose. Implementation of this Act is entirely
11 subject to the availability and appropriation of funds from
12 federal grant money applied for by the Department of Public
13 Health. ~~The State Healthcare Workforce Council is hereby~~
14 ~~established to provide an ongoing assessment of healthcare~~
15 ~~workforce trends, training issues, and financing policies, and~~
16 ~~to recommend appropriate State government and private sector~~
17 ~~efforts to address identified needs. The work of the Council~~
18 ~~shall focus on: healthcare workforce supply and distribution;~~
19 ~~cultural competence and minority participation in health~~
20 ~~professions education; primary care training and practice; and~~
21 ~~data evaluation and analysis. The Council shall work in~~
22 ~~coordination with the State Health Improvement Plan~~
23 ~~Implementation Coordination Council to ensure alignment with~~
24 ~~the State Health Improvement Plan.~~

1 (Source: P.A. 97-424, eff. 7-1-12.)

2 (20 ILCS 2325/20)

3 Sec. 20. Five-year comprehensive healthcare workforce
4 plan.

5 (a) Every 5 years, the Department, ~~in cooperation with the~~
6 ~~Council,~~ shall prepare a comprehensive healthcare workforce
7 plan.

8 (b) The comprehensive healthcare workforce plan shall
9 include, but need not be limited to, the following:

10 (1) 25-year projections of the demand and supply of
11 health professionals to meet the needs of healthcare
12 within the State.

13 (2) The identification of all funding sources for
14 which the State has administrative control that are
15 available for health professions training.

16 (3) Recommendations on how to rationalize and
17 coordinate the State-supported programs for health
18 professions training.

19 (4) Recommendations on actions needed to meet the
20 projected demand for health professionals over the 25
21 years of the plan.

22 (c) Each year in which a comprehensive healthcare
23 workforce plan is not due, the Department, ~~on behalf of the~~
24 ~~Council,~~ shall prepare a report by July 1 of that year to the
25 Governor and the General Assembly on the progress made toward

1 achieving the projected goals of the current comprehensive
2 healthcare workforce plan during the previous calendar year.

3 ~~(d) The Department shall provide staffing to the Council.~~

4 (Source: P.A. 97-424, eff. 7-1-12.)

5 (20 ILCS 2325/15 rep.)

6 (20 ILCS 2325/25 rep.)

7 Section 37. The Comprehensive Healthcare Workforce
8 Planning Act is amended by repealing Sections 15 and 25.

9 (20 ILCS 2407/Art. 2 rep.)

10 Section 39. The Disabilities Services Act of 2003 is
11 amended by repealing Article 2.

12 Section 40. The Disabilities Services Act of 2003 is
13 amended by changing Section 53 as follows:

14 (20 ILCS 2407/53)

15 Sec. 53. Rebalancing benchmarks.

16 (a) Illinois' long-term care system is in a state of
17 transformation, as evidenced by the creation and subsequent
18 work products of the ~~Disability Services Advisory Committee,~~
19 Older Adult Services Advisory Committee, Housing Task Force
20 and other executive and legislative branch initiatives.

21 (b) Illinois' Money Follows the Person demonstration
22 approval capitalizes on this progress and commits the State to

1 transition approximately 3,357 older persons and persons with
2 developmental, physical or psychiatric disabilities from
3 institutional to home and community-based settings, resulting
4 in an increased percentage of long-term care community
5 spending over the next 5 years.

6 (c) The State will endeavor to increase the percentage of
7 community-based long-term care spending over the next 5 years
8 according to the following timeline:

9 Estimated baseline: 28.5%

10 Year 1: 30%

11 Year 2: 31%

12 Year 3: 32%

13 Year 4: 35%

14 Year 5: 37%

15 (d) The Departments will utilize interagency agreements
16 and will seek legislative authority to implement a Money
17 Follows the Person budgetary mechanism to allocate or
18 reallocate funds for the purpose of expanding the
19 availability, quality or stability of home and community-based
20 long-term care services and supports for persons with
21 disabilities.

22 (e) The allocation of public funds for home and
23 community-based long-term care services shall not have the
24 effect of: (i) diminishing or reducing the quality of services
25 available to residents of long-term care facilities; (ii)
26 forcing any residents of long-term care facilities to

1 involuntarily accept home and community-based long-term care
2 services, or causing any residents of long-term care
3 facilities to be involuntarily transferred or discharged;
4 (iii) causing reductions in long-term care facility
5 reimbursement rates in effect as of July 1, 2008; or (iv)
6 diminishing access to a full array of long-term care options.
7 (Source: P.A. 95-438, eff. 1-1-08.)

8 Section 43. The Nuclear Safety Law of 2004 is amended by
9 changing Section 10 as follows:

10 (20 ILCS 3310/10)

11 Sec. 10. Nuclear and radioactive materials disposal. The
12 Illinois Emergency Management Agency shall formulate a
13 comprehensive plan regarding disposal of nuclear and
14 radioactive materials in this State. The Illinois Emergency
15 Management Agency shall establish minimum standards for
16 disposal sites, shall evaluate and publicize potential effects
17 on the public health and safety, and shall report to the
18 Governor and General Assembly all violations of the adopted
19 standards. ~~In carrying out this function, the Illinois~~
20 ~~Emergency Management Agency shall work in cooperation with the~~
21 ~~Radiation Protection Advisory Council.~~

22 (Source: P.A. 93-1029, eff. 8-25-04.)

23 (20 ILCS 3950/Act rep.)

1 Section 45. The Governor's Council on Health and Physical
2 Fitness Act is repealed.

3 (20 ILCS 4024/Act rep.)

4 Section 50. The Interstate Sex Offender Task Force Act is
5 repealed.

6 Section 60. The Eliminate the Digital Divide Law is
7 amended by changing Section 5-30 as follows:

8 (30 ILCS 780/5-30)

9 Sec. 5-30. Community Technology Center Grant Program.

10 (a) Subject to appropriation, the Department shall
11 administer the Community Technology Center Grant Program under
12 which the Department shall make grants in accordance with this
13 Article for planning, establishment, administration, and
14 expansion of Community Technology Centers and for assisting
15 public hospitals, libraries, and park districts in eliminating
16 the digital divide. The purposes of the grants shall include,
17 but not be limited to, volunteer recruitment and management,
18 training and instruction, infrastructure, and related goods
19 and services, including case management, administration,
20 personal information management, and outcome-tracking tools
21 and software for the purposes of reporting to the Department
22 and for enabling participation in digital government and
23 consumer services programs, for Community Technology Centers

1 and public hospitals, libraries, and park districts. No
2 Community Technology Center may receive a grant of more than
3 \$75,000 under this Section in a particular fiscal year.

4 (b) Public hospitals, libraries, park districts, and State
5 educational agencies, local educational agencies, institutions
6 of higher education, senior citizen homes, and other public
7 and private nonprofit or for-profit agencies and organizations
8 are eligible to receive grants under this Program, provided
9 that a local educational agency or public or private
10 educational agency or organization must, in order to be
11 eligible to receive grants under this Program, provide
12 computer access and educational services using information
13 technology to the public at one or more of its educational
14 buildings or facilities at least 12 hours each week. A group of
15 eligible entities is also eligible to receive a grant if the
16 group follows the procedures for group applications in 34 CFR
17 75.127-129 of the Education Department General Administrative
18 Regulations.

19 To be eligible to apply for a grant, a Community
20 Technology Center must serve a community in which not less
21 than 40% of the students are eligible for a free or reduced
22 price lunch under the national school lunch program or in
23 which not less than 30% of the students are eligible for a free
24 lunch under the national school lunch program; however, if
25 funding is insufficient to approve all grant applications for
26 a particular fiscal year, the Department may impose a higher

1 minimum percentage threshold for that fiscal year.
2 Determinations of communities and determinations of the
3 percentage of students in a community who are eligible for a
4 free or reduced price lunch under the national school lunch
5 program shall be in accordance with rules adopted by the
6 Department.

7 Any entities that have received a Community Technology
8 Center grant under the federal Community Technology Centers
9 Program are also eligible to apply for grants under this
10 Program.

11 The Department shall provide assistance to Community
12 Technology Centers in making those determinations for purposes
13 of applying for grants.

14 The Department shall encourage Community Technology
15 Centers to participate in public and private computer hardware
16 equipment recycling initiatives that provide computers at
17 reduced or no cost to low-income families, including programs
18 authorized by the State Property Control Act. On an annual
19 basis, the Department must provide the Director of Central
20 Management Services with a list of Community Technology
21 Centers that have applied to the Department for funding as
22 potential recipients of surplus State-owned computer hardware
23 equipment under programs authorized by the State Property
24 Control Act.

25 (c) Grant applications shall be submitted to the
26 Department on a schedule of one or more deadlines established

1 by the Department by rule.

2 (d) The Department shall adopt rules setting forth the
3 required form and contents of grant applications.

4 ~~(e) There is created the Digital Divide Elimination~~
5 ~~Advisory Committee. The advisory committee shall consist of 7~~
6 ~~members appointed one each by the Governor, the President of~~
7 ~~the Senate, the Senate Minority Leader, the Speaker of the~~
8 ~~House, and the House Minority Leader, and 2 appointed by the~~
9 ~~Director of Commerce and Economic Opportunity, one of whom~~
10 ~~shall be a representative of the telecommunications industry~~
11 ~~and one of whom shall represent community technology centers.~~
12 ~~The members of the advisory committee shall receive no~~
13 ~~compensation for their services as members of the advisory~~
14 ~~committee but may be reimbursed for their actual expenses~~
15 ~~incurred in serving on the advisory committee. The Digital~~
16 ~~Divide Elimination Advisory Committee shall advise the~~
17 ~~Department in establishing criteria and priorities for~~
18 ~~identifying recipients of grants under this Act. The advisory~~
19 ~~committee shall obtain advice from the technology industry~~
20 ~~regarding current technological standards. The advisory~~
21 ~~committee shall seek any available federal funding.~~

22 ~~(f) There is created the Digital Divide Elimination~~
23 ~~Working Group. The Working Group shall consist of the Director~~
24 ~~of Commerce and Economic Opportunity, or his or her designee,~~
25 ~~the Director of Central Management Services, or his or her~~
26 ~~designee, and the Executive Director of the Illinois Commerce~~

1 ~~Commission, or his or her designee. The Director of Commerce~~
2 ~~and Economic Opportunity, or his or her designee, shall serve~~
3 ~~as chair of the Working Group. The Working Group shall consult~~
4 ~~with the members of the Digital Divide Elimination Advisory~~
5 ~~Committee and may consult with various groups including, but~~
6 ~~not limited to, telecommunications providers,~~
7 ~~telecommunications related technology producers and service~~
8 ~~providers, community technology providers, community and~~
9 ~~consumer organizations, businesses and business organizations,~~
10 ~~and federal government agencies.~~

11 ~~(g) Duties of the Digital Divide Elimination Working Group~~
12 ~~include all of the following:~~

13 ~~(1) Undertaking a thorough review of grant programs~~
14 ~~available through the federal government, local agencies,~~
15 ~~telecommunications providers, and business and charitable~~
16 ~~entities for the purpose of identifying appropriate~~
17 ~~sources of revenues for the Digital Divide Elimination~~
18 ~~Fund and attempting to update available grants on a~~
19 ~~regular basis.~~

20 ~~(2) Researching and cataloging programs designed to~~
21 ~~advance digital literacy and computer access that are~~
22 ~~available through the federal government, local agencies,~~
23 ~~telecommunications providers, and business and charitable~~
24 ~~entities and attempting to update available programs on a~~
25 ~~regular basis.~~

26 ~~(3) Presenting the information compiled from items (1)~~

1 ~~and (2) to the Department of Commerce and Economic~~
2 ~~Opportunity, which shall serve as a single point of~~
3 ~~contact for applying for funding for the Digital Divide~~
4 ~~Elimination Fund and for distributing information to the~~
5 ~~public regarding all programs designed to advance digital~~
6 ~~literacy and computer access.~~

7 (Source: P.A. 94-734, eff. 4-28-06; 95-740, eff. 1-1-09.)

8 (210 ILCS 25/Art. V rep.)

9 Section 65. The Illinois Clinical Laboratory and Blood
10 Bank Act is amended by repealing Article V.

11 Section 70. The Hospital Report Card Act is amended by
12 changing Section 25 as follows:

13 (210 ILCS 86/25)

14 (Text of Section before amendment by P.A. 102-256)

15 Sec. 25. Hospital reports.

16 (a) Individual hospitals shall prepare a quarterly report
17 including all of the following:

18 (1) Nursing hours per patient day, average daily
19 census, and average daily hours worked for each clinical
20 service area.

21 (2) Infection-related measures for the facility for
22 the specific clinical procedures and devices determined by
23 the Department by rule under 2 or more of the following

1 categories:

2 (A) Surgical procedure outcome measures.

3 (B) Surgical procedure infection control process
4 measures.

5 (C) Outcome or process measures related to
6 ventilator-associated pneumonia.

7 (D) Central vascular catheter-related bloodstream
8 infection rates in designated critical care units.

9 (3) Information required under paragraph (4) of
10 Section 2310-312 of the Department of Public Health Powers
11 and Duties Law of the Civil Administrative Code of
12 Illinois.

13 (4) Additional infection measures mandated by the
14 Centers for Medicare and Medicaid Services that are
15 reported by hospitals to the Centers for Disease Control
16 and Prevention's National Healthcare Safety Network
17 surveillance system, or its successor, and deemed relevant
18 to patient safety by the Department.

19 (5) Each instance of preterm birth and infant
20 mortality within the reporting period, including the
21 racial and ethnic information of the mothers of those
22 infants.

23 (6) Each instance of maternal mortality within the
24 reporting period, including the racial and ethnic
25 information of those mothers.

26 The infection-related measures developed by the Department

1 shall be based upon measures and methods developed by the
2 Centers for Disease Control and Prevention, the Centers for
3 Medicare and Medicaid Services, the Agency for Healthcare
4 Research and Quality, the Joint Commission on Accreditation of
5 Healthcare Organizations, or the National Quality Forum. The
6 Department may align the infection-related measures with the
7 measures and methods developed by the Centers for Disease
8 Control and Prevention, the Centers for Medicare and Medicaid
9 Services, the Agency for Healthcare Research and Quality, the
10 Joint Commission on Accreditation of Healthcare Organizations,
11 and the National Quality Forum by adding reporting measures
12 based on national health care strategies and measures deemed
13 scientifically reliable and valid for public reporting. The
14 Department shall receive approval from the State Board of
15 Health to retire measures deemed no longer scientifically
16 valid or valuable for informing quality improvement or
17 infection prevention efforts. The Department shall notify the
18 Chairs and Minority Spokespersons of the House Human Services
19 Committee and the Senate Public Health Committee of its intent
20 to have the State Board of Health take action to retire
21 measures no later than 7 business days before the meeting of
22 the State Board of Health.

23 The Department shall include interpretive guidelines for
24 infection-related indicators and, when available, shall
25 include relevant benchmark information published by national
26 organizations.

1 The Department shall collect the information reported
2 under paragraphs (5) and (6) and shall use it to illustrate the
3 disparity of those occurrences across different racial and
4 ethnic groups.

5 (b) Individual hospitals shall prepare annual reports
6 including vacancy and turnover rates for licensed nurses per
7 clinical service area.

8 (c) None of the information the Department discloses to
9 the public may be made available in any form or fashion unless
10 the information has been reviewed, adjusted, and validated
11 according to the following process:

12 (1) The Department shall organize an advisory
13 committee, including representatives from the Department,
14 public and private hospitals, direct care nursing staff,
15 physicians, academic researchers, consumers, health
16 insurance companies, organized labor, and organizations
17 representing hospitals and physicians. The advisory
18 committee must be meaningfully involved in the development
19 of all aspects of the Department's methodology for
20 collecting, analyzing, and disclosing the information
21 collected under this Act, including collection methods,
22 formatting, and methods and means for release and
23 dissemination.

24 (2) The entire methodology for collecting and
25 analyzing the data shall be disclosed to all relevant
26 organizations and to all hospitals that are the subject of

1 any information to be made available to the public before
2 any public disclosure of such information.

3 (3) Data collection and analytical methodologies shall
4 be used that meet accepted standards of validity and
5 reliability before any information is made available to
6 the public.

7 (4) The limitations of the data sources and analytic
8 methodologies used to develop comparative hospital
9 information shall be clearly identified and acknowledged,
10 including but not limited to the appropriate and
11 inappropriate uses of the data.

12 (5) To the greatest extent possible, comparative
13 hospital information initiatives shall use standard-based
14 norms derived from widely accepted provider-developed
15 practice guidelines.

16 (6) Comparative hospital information and other
17 information that the Department has compiled regarding
18 hospitals shall be shared with the hospitals under review
19 prior to public dissemination of such information and
20 these hospitals have 30 days to make corrections and to
21 add helpful explanatory comments about the information
22 before the publication.

23 (7) Comparisons among hospitals shall adjust for
24 patient case mix and other relevant risk factors and
25 control for provider peer groups, when appropriate.

26 (8) Effective safeguards to protect against the

1 unauthorized use or disclosure of hospital information
2 shall be developed and implemented.

3 (9) Effective safeguards to protect against the
4 dissemination of inconsistent, incomplete, invalid,
5 inaccurate, or subjective hospital data shall be developed
6 and implemented.

7 (10) The quality and accuracy of hospital information
8 reported under this Act and its data collection, analysis,
9 and dissemination methodologies shall be evaluated
10 regularly.

11 (11) Only the most basic identifying information from
12 mandatory reports shall be used, and information
13 identifying a patient, employee, or licensed professional
14 shall not be released. None of the information the
15 Department discloses to the public under this Act may be
16 used to establish a standard of care in a private civil
17 action.

18 (d) Quarterly reports shall be submitted, in a format set
19 forth in rules adopted by the Department, to the Department by
20 April 30, July 31, October 31, and January 31 each year for the
21 previous quarter. Data in quarterly reports must cover a
22 period ending not earlier than one month prior to submission
23 of the report. Annual reports shall be submitted by December
24 31 in a format set forth in rules adopted by the Department to
25 the Department. All reports shall be made available to the
26 public on-site and through the Department.

1 (e) If the hospital is a division or subsidiary of another
2 entity that owns or operates other hospitals or related
3 organizations, the annual public disclosure report shall be
4 for the specific division or subsidiary and not for the other
5 entity.

6 (f) The Department shall disclose information under this
7 Section in accordance with provisions for inspection and
8 copying of public records required by the Freedom of
9 Information Act provided that such information satisfies the
10 provisions of subsection (c) of this Section.

11 (g) Notwithstanding any other provision of law, under no
12 circumstances shall the Department disclose information
13 obtained from a hospital that is confidential under Part 21 of
14 Article VIII of the Code of Civil Procedure.

15 (h) No hospital report or Department disclosure may
16 contain information identifying a patient, employee, or
17 licensed professional.

18 (Source: P.A. 101-446, eff. 8-23-19.)

19 (Text of Section after amendment by P.A. 102-256)

20 Sec. 25. Hospital reports.

21 (a) Individual hospitals shall prepare a quarterly report
22 including all of the following:

23 (1) Nursing hours per patient day, average daily
24 census, and average daily hours worked for each clinical
25 service area.

1 (2) Infection-related measures for the facility for
2 the specific clinical procedures and devices determined by
3 the Department by rule under 2 or more of the following
4 categories:

5 (A) Surgical procedure outcome measures.

6 (B) Surgical procedure infection control process
7 measures.

8 (C) Outcome or process measures related to
9 ventilator-associated pneumonia.

10 (D) Central vascular catheter-related bloodstream
11 infection rates in designated critical care units.

12 (3) Information required under paragraph (4) of
13 Section 2310-312 of the Department of Public Health Powers
14 and Duties Law of the Civil Administrative Code of
15 Illinois.

16 (4) Additional infection measures mandated by the
17 Centers for Medicare and Medicaid Services that are
18 reported by hospitals to the Centers for Disease Control
19 and Prevention's National Healthcare Safety Network
20 surveillance system, or its successor, and deemed relevant
21 to patient safety by the Department.

22 (5) Each instance of preterm birth and infant
23 mortality within the reporting period, including the
24 racial and ethnic information of the mothers of those
25 infants.

26 (6) Each instance of maternal mortality within the

1 reporting period, including the racial and ethnic
2 information of those mothers.

3 (7) The number of female patients who have died within
4 the reporting period.

5 (8) The number of female patients admitted to the
6 hospital with a diagnosis of COVID-19 and at least one
7 known underlying condition identified by the United States
8 Centers for Disease Control and Prevention as a condition
9 that increases the risk of mortality from COVID-19 who
10 subsequently died at the hospital within the reporting
11 period.

12 The infection-related measures developed by the Department
13 shall be based upon measures and methods developed by the
14 Centers for Disease Control and Prevention, the Centers for
15 Medicare and Medicaid Services, the Agency for Healthcare
16 Research and Quality, the Joint Commission on Accreditation of
17 Healthcare Organizations, or the National Quality Forum. The
18 Department may align the infection-related measures with the
19 measures and methods developed by the Centers for Disease
20 Control and Prevention, the Centers for Medicare and Medicaid
21 Services, the Agency for Healthcare Research and Quality, the
22 Joint Commission on Accreditation of Healthcare Organizations,
23 and the National Quality Forum by adding reporting measures
24 based on national health care strategies and measures deemed
25 scientifically reliable and valid for public reporting. The
26 Department shall receive approval from the State Board of

1 Health to retire measures deemed no longer scientifically
2 valid or valuable for informing quality improvement or
3 infection prevention efforts. The Department shall notify the
4 Chairs and Minority Spokespersons of the House Human Services
5 Committee and the Senate Public Health Committee of its intent
6 to have the State Board of Health take action to retire
7 measures no later than 7 business days before the meeting of
8 the State Board of Health.

9 The Department shall include interpretive guidelines for
10 infection-related indicators and, when available, shall
11 include relevant benchmark information published by national
12 organizations.

13 The Department shall collect the information reported
14 under paragraphs (5) and (6) and shall use it to illustrate the
15 disparity of those occurrences across different racial and
16 ethnic groups.

17 (b) Individual hospitals shall prepare annual reports
18 including vacancy and turnover rates for licensed nurses per
19 clinical service area.

20 (c) None of the information the Department discloses to
21 the public may be made available in any form or fashion unless
22 the information has been reviewed, adjusted, and validated
23 according to the following process:

24 (1) (Blank). ~~The Department shall organize an advisory~~
25 ~~committee, including representatives from the Department,~~
26 ~~public and private hospitals, direct care nursing staff,~~

1 ~~physicians, academic researchers, consumers, health~~
2 ~~insurance companies, organized labor, and organizations~~
3 ~~representing hospitals and physicians. The advisory~~
4 ~~committee must be meaningfully involved in the development~~
5 ~~of all aspects of the Department's methodology for~~
6 ~~collecting, analyzing, and disclosing the information~~
7 ~~collected under this Act, including collection methods,~~
8 ~~formatting, and methods and means for release and~~
9 ~~dissemination.~~

10 (2) The entire methodology for collecting and
11 analyzing the data shall be disclosed to all relevant
12 organizations and to all hospitals that are the subject of
13 any information to be made available to the public before
14 any public disclosure of such information.

15 (3) Data collection and analytical methodologies shall
16 be used that meet accepted standards of validity and
17 reliability before any information is made available to
18 the public.

19 (4) The limitations of the data sources and analytic
20 methodologies used to develop comparative hospital
21 information shall be clearly identified and acknowledged,
22 including but not limited to the appropriate and
23 inappropriate uses of the data.

24 (5) To the greatest extent possible, comparative
25 hospital information initiatives shall use standard-based
26 norms derived from widely accepted provider-developed

1 practice guidelines.

2 (6) Comparative hospital information and other
3 information that the Department has compiled regarding
4 hospitals shall be shared with the hospitals under review
5 prior to public dissemination of such information and
6 these hospitals have 30 days to make corrections and to
7 add helpful explanatory comments about the information
8 before the publication.

9 (7) Comparisons among hospitals shall adjust for
10 patient case mix and other relevant risk factors and
11 control for provider peer groups, when appropriate.

12 (8) Effective safeguards to protect against the
13 unauthorized use or disclosure of hospital information
14 shall be developed and implemented.

15 (9) Effective safeguards to protect against the
16 dissemination of inconsistent, incomplete, invalid,
17 inaccurate, or subjective hospital data shall be developed
18 and implemented.

19 (10) The quality and accuracy of hospital information
20 reported under this Act and its data collection, analysis,
21 and dissemination methodologies shall be evaluated
22 regularly.

23 (11) Only the most basic identifying information from
24 mandatory reports shall be used, and information
25 identifying a patient, employee, or licensed professional
26 shall not be released. None of the information the

1 Department discloses to the public under this Act may be
2 used to establish a standard of care in a private civil
3 action.

4 (d) Quarterly reports shall be submitted, in a format set
5 forth in rules adopted by the Department, to the Department by
6 April 30, July 31, October 31, and January 31 each year for the
7 previous quarter. Data in quarterly reports must cover a
8 period ending not earlier than one month prior to submission
9 of the report. Annual reports shall be submitted by December
10 31 in a format set forth in rules adopted by the Department to
11 the Department. All reports shall be made available to the
12 public on-site and through the Department.

13 (e) If the hospital is a division or subsidiary of another
14 entity that owns or operates other hospitals or related
15 organizations, the annual public disclosure report shall be
16 for the specific division or subsidiary and not for the other
17 entity.

18 (f) The Department shall disclose information under this
19 Section in accordance with provisions for inspection and
20 copying of public records required by the Freedom of
21 Information Act provided that such information satisfies the
22 provisions of subsection (c) of this Section.

23 (g) Notwithstanding any other provision of law, under no
24 circumstances shall the Department disclose information
25 obtained from a hospital that is confidential under Part 21 of
26 Article VIII of the Code of Civil Procedure.

1 (h) No hospital report or Department disclosure may
2 contain information identifying a patient, employee, or
3 licensed professional.

4 (Source: P.A. 101-446, eff. 8-23-19; 102-256, eff. 1-1-22.)

5 (210 ILCS 110/13A rep.)

6 Section 75. The Illinois Migrant Labor Camp Law is amended
7 by repealing Section 13A.

8 Section 80. The Illinois Athletic Trainers Practice Act is
9 amended by changing Sections 3, 5, 19, 19.5, 21, and 24 as
10 follows:

11 (225 ILCS 5/3) (from Ch. 111, par. 7603)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 3. Definitions. As used in this Act:

14 (1) "Department" means the Department of Financial and
15 Professional Regulation.

16 (2) "Secretary" means the Secretary of Financial and
17 Professional Regulation.

18 (3) (Blank). ~~"Board" means the Illinois Board of Athletic~~
19 ~~Trainers appointed by the Secretary.~~

20 (4) "Licensed athletic trainer" means a person licensed to
21 practice athletic training as defined in this Act and with the
22 specific qualifications set forth in Section 9 of this Act
23 who, upon the direction of his or her team physician or

1 consulting physician, carries out the practice of
2 prevention/emergency care or physical reconditioning of
3 injuries incurred by athletes participating in an athletic
4 program conducted by an educational institution, professional
5 athletic organization, or sanctioned amateur athletic
6 organization employing the athletic trainer; or a person who,
7 under the direction of a physician, carries out comparable
8 functions for a health organization-based extramural program
9 of athletic training services for athletes. Specific duties of
10 the athletic trainer include but are not limited to:

11 A. Supervision of the selection, fitting, and
12 maintenance of protective equipment;

13 B. Provision of assistance to the coaching staff in
14 the development and implementation of conditioning
15 programs;

16 C. Counseling of athletes on nutrition and hygiene;

17 D. Supervision of athletic training facility and
18 inspection of playing facilities;

19 E. Selection and maintenance of athletic training
20 equipment and supplies;

21 F. Instruction and supervision of student trainer
22 staff;

23 G. Coordination with a team physician to provide:

24 (i) pre-competition physical exam and health
25 history updates,

26 (ii) game coverage or phone access to a physician

1 or paramedic,
2 (iii) follow-up injury care,
3 (iv) reconditioning programs, and
4 (v) assistance on all matters pertaining to the
5 health and well-being of athletes.

6 H. Provision of on-site injury care and evaluation as
7 well as appropriate transportation, follow-up treatment
8 and rehabilitation as necessary for all injuries sustained
9 by athletes in the program;

10 I. With a physician, determination of when an athlete
11 may safely return to full participation post-injury; and

12 J. Maintenance of complete and accurate records of all
13 athletic injuries and treatments rendered.

14 To carry out these functions the athletic trainer is
15 authorized to utilize modalities, including, but not limited
16 to, heat, light, sound, cold, electricity, exercise, or
17 mechanical devices related to care and reconditioning.

18 (5) "Referral" means the guidance and direction given by
19 the physician, who shall maintain supervision of the athlete.

20 (6) "Athletic trainer aide" means a person who has
21 received on-the-job training specific to the facility in which
22 he or she is employed, on either a paid or volunteer basis, but
23 is not enrolled in an accredited athletic training curriculum.

24 (7) "Address of record" means the designated address
25 recorded by the Department in the applicant's or licensee's
26 application file or license file as maintained by the

1 Department's licensure maintenance unit. It is the duty of the
2 applicant or licensee to inform the Department of any change
3 of address, and those changes must be made either through the
4 Department's website or by contacting the Department.

5 (8) "Board of Certification" means the Board of
6 Certification for the Athletic Trainer.

7 (Source: P.A. 99-469, eff. 8-26-15.)

8 (225 ILCS 5/5) (from Ch. 111, par. 7605)

9 (Section scheduled to be repealed on January 1, 2026)

10 Sec. 5. Administration of Act; rules and forms.

11 (a) The Department shall exercise the powers and duties
12 prescribed by the Civil Administrative Code of Illinois for
13 the administration of Licensure Acts and shall exercise such
14 other powers and duties necessary for effectuating the
15 purposes of this Act.

16 (b) The Secretary may promulgate rules consistent with the
17 provisions of this Act for the administration and enforcement
18 thereof, and for the payment of fees connected therewith, and
19 may prescribe forms which shall be issued in connection
20 therewith. The rules may include standards and criteria for
21 licensure, certification, and professional conduct and
22 discipline. ~~The Department may consult with the Board in~~
23 ~~promulgating rules.~~

24 ~~(c) The Department may at any time seek the advice and the~~
25 ~~expert knowledge of the Board on any matter relating to the~~

1 ~~administration of this Act.~~

2 ~~(d) (Blank).~~

3 (Source: P.A. 99-469, eff. 8-26-15.)

4 (225 ILCS 5/19) (from Ch. 111, par. 7619)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 19. Record of proceedings. The Department, at its
7 expense, shall preserve a record of all proceedings at the
8 formal hearing of any case. The notice of hearing, complaint
9 and all other documents in the nature of pleadings and written
10 motions filed in the proceedings, the transcript of testimony,
11 ~~the report of the Board~~ and order of the Department shall be
12 the record of such proceeding. Any licensee who is found to
13 have violated this Act or who fails to appear for a hearing to
14 refuse to issue, restore, or renew a license or to discipline a
15 licensee may be required by the Department to pay for the costs
16 of the proceeding. These costs are limited to costs for court
17 reporters, transcripts, and witness attendance and mileage
18 fees. All costs imposed under this Section shall be paid
19 within 60 days after the effective date of the order imposing
20 the fine or in accordance with the terms set forth in the order
21 imposing the fine.

22 (Source: P.A. 99-469, eff. 8-26-15.)

23 (225 ILCS 5/19.5)

24 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 19.5. Subpoenas; oaths. The Department may subpoena
2 and bring before it any person and may take the oral or written
3 testimony of any person or compel the production of any books,
4 papers, records, or any other documents that the Secretary or
5 his or her designee deems relevant or material to an
6 investigation or hearing conducted by the Department with the
7 same fees and mileage and in the same manner as prescribed by
8 law in judicial procedure in civil cases in courts of this
9 State.

10 The Secretary, the designated hearing officer, ~~any member~~
11 ~~of the Board,~~ or a certified shorthand court reporter may
12 administer oaths at any hearing which the Department conducts.
13 Notwithstanding any other statute or Department rule to the
14 contrary, all requests for testimony or production of
15 documents or records shall be in accordance with this Act.

16 (Source: P.A. 99-469, eff. 8-26-15.)

17 (225 ILCS 5/24) (from Ch. 111, par. 7624)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 24. Hearing officer appointment. The Secretary shall
20 have the authority to appoint any attorney duly licensed to
21 practice law in the State of Illinois to serve as the hearing
22 officer in any action for refusal to issue or renew a license,
23 or for the taking of disciplinary action against a license.
24 The hearing officer shall have full authority to conduct the
25 hearing. The hearing officer shall report his or her findings

1 of fact, conclusions of law, and recommendations to ~~the Board~~
2 ~~and the Secretary. The Board shall have 90 days from receipt of~~
3 ~~the report to review the report of the hearing officer and~~
4 ~~present its findings of fact, conclusions of law and~~
5 ~~recommendation to the Secretary. The ~~If the Board fails to~~
6 ~~present its report within the 90 day period,~~ the Secretary may
7 issue an order based on the report of the hearing officer. ~~If~~
8 ~~the Secretary determines that the Board's report is contrary~~
9 ~~to the manifest weight of the evidence, he or she may issue an~~
10 ~~order in contravention of the Board's report.~~~~

11 (Source: P.A. 99-469, eff. 8-26-15.)

12 (225 ILCS 5/6 rep.)

13 (225 ILCS 5/21 rep.)

14 (225 ILCS 5/22 rep.)

15 Section 85. The Illinois Athletic Trainers Practice Act is
16 amended by repealing Sections 6, 21, and 22.

17 Section 90. The Hearing Instrument Consumer Protection Act
18 is amended by changing Sections 3, 8, 14, 15, 18, 21, 22, 23,
19 27.1, and 30 as follows:

20 (225 ILCS 50/3) (from Ch. 111, par. 7403)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 3. Definitions. As used in this Act, except as the
23 context requires otherwise:

1 "Department" means the Department of Public Health.

2 "Director" means the Director of the Department of Public
3 Health.

4 "License" means a license issued by the State under this
5 Act to a hearing instrument dispenser.

6 "Licensed audiologist" means a person licensed as an
7 audiologist under the Illinois Speech-Language Pathology and
8 Audiology Practice Act.

9 "National Board Certified Hearing Instrument Specialist"
10 means a person who has had at least 2 years in practice as a
11 licensed hearing instrument dispenser and has been certified
12 after qualification by examination by the National Board for
13 Certification in Hearing Instruments Sciences.

14 "Licensed physician" or "physician" means a physician
15 licensed in Illinois to practice medicine in all of its
16 branches pursuant to the Medical Practice Act of 1987.

17 "Trainee" means a person who is licensed to perform the
18 functions of a hearing instrument dispenser in accordance with
19 the Department rules and only under the direct supervision of
20 a hearing instrument dispenser or audiologist who is licensed
21 in the State.

22 ~~"Board" means the Hearing Instrument Consumer Protection~~
23 ~~Board.~~

24 "Hearing instrument" or "hearing aid" means any wearable
25 instrument or device designed for or offered for the purpose
26 of aiding or compensating for impaired human hearing and that

1 can provide more than 15 dB full on gain via a 2cc coupler at
2 any single frequency from 200 through 6000 cycles per second,
3 and any parts, attachments, or accessories, including ear
4 molds. "Hearing instrument" or "hearing aid" do not include
5 batteries, cords, or group auditory training devices and any
6 instrument or device used by a public utility in providing
7 telephone or other communication services are excluded.

8 "Practice of fitting, dispensing, or servicing of hearing
9 instruments" means the measurement of human hearing with an
10 audiometer, calibrated to the current American National
11 Standard Institute standards, for the purpose of making
12 selections, recommendations, adaptations, services, or sales of
13 hearing instruments including the making of earmolds as a part
14 of the hearing instrument.

15 "Sell" or "sale" means any transfer of title or of the
16 right to use by lease, bailment, or any other contract,
17 excluding wholesale transactions with distributors or dealers.

18 "Hearing instrument dispenser" means a person who is a
19 hearing care professional that engages in the selling,
20 practice of fitting, selecting, recommending, dispensing, or
21 servicing of hearing instruments or the testing for means of
22 hearing instrument selection or who advertises or displays a
23 sign or represents himself or herself as a person who
24 practices the testing, fitting, selecting, servicing,
25 dispensing, or selling of hearing instruments.

26 "Fund" means the Hearing Instrument Dispenser Examining

1 and Disciplinary Fund.

2 "Hearing care professional" means a person who is a
3 licensed audiologist, a licensed hearing instrument dispenser,
4 or a licensed physician.

5 (Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

6 (225 ILCS 50/8) (from Ch. 111, par. 7408)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 8. Applicant qualifications; examination.

9 (a) In order to protect persons who are deaf or hard of
10 hearing, the Department shall authorize or shall conduct an
11 appropriate examination, which may be the International
12 Hearing Society's licensure examination, for persons who
13 dispense, test, select, recommend, fit, or service hearing
14 instruments. The frequency of holding these examinations shall
15 be determined by the Department by rule. Those who
16 successfully pass such an examination shall be issued a
17 license as a hearing instrument dispenser, which shall be
18 effective for a 2-year period.

19 (b) Applicants shall be:

20 (1) at least 18 years of age;

21 (2) of good moral character;

22 (3) the holder of an associate's degree or the
23 equivalent;

24 (4) free of contagious or infectious disease; and

25 (5) a citizen or person who has the status as a legal

1 alien.

2 Felony convictions of the applicant and findings against
3 the applicant involving matters set forth in Sections 17 and
4 18 shall be considered in determining moral character, but
5 such a conviction or finding shall not make an applicant
6 ineligible to register for examination.

7 (c) Prior to engaging in the practice of fitting,
8 dispensing, or servicing hearing instruments, an applicant
9 shall demonstrate, by means of written and practical
10 examinations, that such person is qualified to practice the
11 testing, selecting, recommending, fitting, selling, or
12 servicing of hearing instruments as defined in this Act. An
13 applicant must obtain a license within 12 months after passing
14 either the written or practical examination, whichever is
15 passed first, or must take and pass those examinations again
16 in order to be eligible to receive a license.

17 The Department shall, by rule, determine the conditions
18 under which an individual is examined.

19 (d) Proof of having met the minimum requirements of
20 continuing education as determined by the Director Board shall
21 be required of all license renewals. Pursuant to rule, the
22 continuing education requirements may, upon petition to the
23 Director Board, be waived in whole or in part if the hearing
24 instrument dispenser can demonstrate that he or she served in
25 the Coast Guard or Armed Forces, had an extreme hardship, or
26 obtained his or her license by examination or endorsement

1 within the preceding renewal period.

2 (e) Persons applying for an initial license must
3 demonstrate having earned, at a minimum, an associate degree
4 or its equivalent from an accredited institution of higher
5 education that is recognized by the U.S. Department of
6 Education or that meets the U.S. Department of Education
7 equivalency as determined through a National Association of
8 Credential Evaluation Services (NACES) member, and meet the
9 other requirements of this Section. In addition, the applicant
10 must demonstrate the successful completion of (1) 12 semester
11 hours or 18 quarter hours of academic undergraduate course
12 work in an accredited institution consisting of 3 semester
13 hours of anatomy and physiology of the hearing mechanism, 3
14 semester hours of hearing science, 3 semester hours of
15 introduction to audiology, and 3 semester hours of aural
16 rehabilitation, or the quarter hour equivalent or (2) an
17 equivalent program as determined by the Department that is
18 consistent with the scope of practice of a hearing instrument
19 dispenser as defined in Section 3 of this Act. Persons
20 licensed before January 1, 2003 who have a valid license on
21 that date may have their license renewed without meeting the
22 requirements of this subsection.

23 (Source: P.A. 98-827, eff. 1-1-15; 99-204, eff. 7-30-15;
24 99-847, eff. 8-19-16.)

25 (225 ILCS 50/14) (from Ch. 111, par. 7414)

1 (Section scheduled to be repealed on January 1, 2026)

2 Sec. 14. Powers and duties of the Department. The powers
3 and duties of the Department are:

4 (a) To issue licenses and to administer examinations to
5 applicants;

6 (b) To license persons who are qualified to engage in the
7 testing, recommending, fitting, selling, and dispensing of
8 hearing instruments;

9 (c) To provide the equipment and facilities necessary for
10 the examination;

11 (d) To issue and to renew licenses;

12 (e) To suspend or revoke licenses or to take such other
13 disciplinary action as provided in this Act;

14 (f) (Blank) ~~To consider all recommendations and requests~~
15 ~~of the Board and to inform it of all actions of the Department~~
16 ~~insofar as hearing instrument dispensers are concerned,~~
17 ~~including any instances where the actions of the Department~~
18 ~~are contrary to the recommendations of the Board;~~

19 (g) To promulgate rules necessary to implement this Act;

20 (h) (Blank); and

21 (i) To conduct such consumer education programs and
22 awareness programs for persons with a hearing impairment as it
23 deems appropriate ~~may be recommended by the Board.~~

24 (Source: P.A. 91-932, eff. 1-1-01.)

25 (225 ILCS 50/15) (from Ch. 111, par. 7415)

1 (Section scheduled to be repealed on January 1, 2026)

2 Sec. 15. Fees.

3 (a) The examination and licensure fees paid to the
4 Department are not refundable and shall be set forth by
5 administrative rule. The Department may require a fee for the
6 administration of the examination in addition to examination
7 and licensure fees.

8 (b) The moneys received as fees and fines by the
9 Department under this Act shall be deposited in the Hearing
10 Instrument Dispenser Examining and Disciplinary Fund, which is
11 hereby created as a special fund in the State Treasury, and
12 shall be used only for the administration and enforcement of
13 this Act, including: ~~(1) costs directly related to licensing~~
14 ~~of persons under this Act; and (2) by the Board in the exercise~~
15 ~~of its powers and performance of its duties, and such use shall~~
16 ~~be made by the Department with full consideration of all~~
17 ~~recommendations of the Board.~~

18 All moneys deposited in the Fund shall be appropriated to
19 the Department for expenses of the Department ~~and the Board~~ in
20 the administration and enforcement of this Act.

21 Moneys in the Fund may be invested and reinvested, with
22 all earnings deposited in the Fund and used for the purposes
23 set forth in this Act.

24 Upon the completion of any audit of the Department as
25 prescribed by the Illinois State Auditing Act, which audit
26 shall include an audit of the Fund, the Department shall make a

1 copy of the audit open to inspection by any interested person,
2 which copy shall be submitted to the Department by the Auditor
3 General, in addition to the copies of audit reports required
4 to be submitted to other State officers and agencies by
5 Section 3-14 of the Illinois State Auditing Act.

6 (Source: P.A. 99-204, eff. 7-30-15.)

7 (225 ILCS 50/18) (from Ch. 111, par. 7418)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 18. Discipline by the Department. The Department may
10 refuse to issue or renew a license or it may revoke, suspend,
11 place on probation, censure, fine, or reprimand a licensee for
12 any of the following:

13 (a) Material misstatement in furnishing information to
14 the Department or to any other State or federal agency.

15 (b) Violations of this Act, or the rules promulgated
16 hereunder.

17 (c) Conviction of any crime under the laws of the
18 United States or any state or territory thereof which is a
19 felony or misdemeanor, an essential element of dishonesty,
20 or of any crime which is directly related to the practice
21 of the profession.

22 (d) Making any misrepresentation for the purpose of
23 obtaining a license or renewing a license, including
24 falsification of the continuing education requirement.

25 (e) Professional incompetence.

1 (f) Malpractice.

2 (g) Aiding or assisting another person in violating
3 any provision of this Act or the rules promulgated
4 hereunder.

5 (h) Failing, within 30 days, to provide in writing
6 information in response to a written request made by the
7 Department.

8 (i) Engaging in dishonorable, unethical, or
9 unprofessional conduct which is likely to deceive,
10 defraud, or harm the public.

11 (j) Knowingly employing, directly or indirectly, any
12 suspended or unlicensed person to perform any services
13 covered by this Act.

14 (k) Habitual intoxication or addiction to the use of
15 drugs.

16 (l) Discipline by another state, the District of
17 Columbia, territory, or a foreign nation, if at least one
18 of the grounds for the discipline is the same or
19 substantially equivalent to those set forth herein.

20 (m) Directly or indirectly giving to or receiving from
21 any person, firm, corporation, partnership, or association
22 any fee, commission, rebate, or other form of compensation
23 for any service not actually rendered. Nothing in this
24 paragraph (m) affects any bona fide independent contractor
25 or employment arrangements among health care
26 professionals, health facilities, health care providers,

1 or other entities, except as otherwise prohibited by law.
2 Any employment arrangements may include provisions for
3 compensation, health insurance, pension, or other
4 employment benefits for the provision of services within
5 the scope of the licensee's practice under this Act.
6 Nothing in this paragraph (m) shall be construed to
7 require an employment arrangement to receive professional
8 fees for services rendered.

9 (n) A finding by the Director ~~Board~~ that the licensee,
10 after having his or her license placed on probationary
11 status, has violated the terms of probation.

12 (o) Willfully making or filing false records or
13 reports.

14 (p) Willfully failing to report an instance of
15 suspected child abuse or neglect as required by the Abused
16 and Neglected Child Reporting Act.

17 (q) Physical illness, including, but not limited to,
18 deterioration through the aging process, or loss of motor
19 skill which results in the inability to practice the
20 profession with reasonable judgement, skill or safety.

21 (r) Solicitation of services or products by
22 advertising that is false or misleading. An advertisement
23 is false or misleading if it:

24 (1) contains an intentional misrepresentation of
25 fact;

26 (2) contains a false statement as to the

1 licensee's professional achievements, education,
2 skills, or qualifications in the hearing instrument
3 dispensing profession;

4 (3) makes a partial disclosure of a relevant fact,
5 including:

6 (i) the advertisement of a discounted price of
7 an item without identifying in the advertisement
8 or at the location of the item either the specific
9 product being offered at the discounted price or
10 the usual price of the item; and

11 (ii) the advertisement of the price of a
12 specifically identified hearing instrument if more
13 than one hearing instrument appears in the same
14 advertisement without an accompanying price;

15 (4) contains a representation that a product
16 innovation is new when, in fact, the product was first
17 offered by the manufacturer to the general public in
18 this State not less than 12 months before the date of
19 the advertisement;

20 (5) contains any other representation, statement,
21 or claim that is inherently misleading or deceptive;
22 or

23 (6) contains information that the licensee
24 manufactures hearing instruments at the licensee's
25 office location unless the following statement
26 includes a statement disclosing that the instruments

1 are manufactured by a specified manufacturer and
2 assembled by the licensee.

3 (s) Participating in subterfuge or misrepresentation
4 in the fitting or servicing of a hearing instrument.

5 (t) (Blank).

6 (u) Representing that the service of a licensed
7 physician or other health professional will be used or
8 made available in the fitting, adjustment, maintenance, or
9 repair of hearing instruments when that is not true, or
10 using the words "doctor", "audiologist", "clinic",
11 "Clinical Audiologist", "Certified Hearing Aid
12 Audiologist", "State Licensed", "State Certified",
13 "Hearing Care Professional", "Licensed Hearing Instrument
14 Dispenser", "Licensed Hearing Aid Dispenser", "Board
15 Certified Hearing Instrument Specialist", "Hearing
16 Instrument Specialist", "Licensed Audiologist", or any
17 other term, abbreviation, or symbol which would give the
18 impression that service is being provided by persons who
19 are licensed or awarded a degree or title, or that the
20 person's service who is holding the license has been
21 recommended by a governmental agency or health provider,
22 when such is not the case.

23 (v) Advertising a manufacturer's product or using a
24 manufacturer's name or trademark implying a relationship
25 which does not exist.

26 (w) Directly or indirectly giving or offering anything

1 of value to any person who advises another in a
2 professional capacity, as an inducement to influence the
3 purchase of a product sold or offered for sale by a hearing
4 instrument dispenser or influencing persons to refrain
5 from dealing in the products of competitors.

6 (x) Conducting business while suffering from a
7 contagious disease.

8 (y) Engaging in the fitting or sale of hearing
9 instruments under a name with fraudulent intent.

10 (z) Dispensing a hearing instrument to a person who
11 has not been given tests utilizing appropriate established
12 procedures and instrumentation in the fitting of hearing
13 instruments, except where there is the replacement of a
14 hearing instrument, of the same make and model within one
15 year of the dispensing of the original hearing instrument.

16 (aa) Unavailability or unwillingness to adequately
17 provide for service or repair of hearing instruments
18 fitted and sold by the dispenser.

19 (bb) Violating the regulations of the Federal Food and
20 Drug Administration or the Federal Trade Commission as
21 they affect hearing instruments.

22 (cc) Violating any provision of the Consumer Fraud and
23 Deceptive Business Practices Act.

24 (dd) Violating the Health Care Worker Self-Referral
25 Act.

26 The Department, ~~with the approval of the Board,~~ may impose

1 a fine not to exceed \$1,000 plus costs for the first violation
2 and not to exceed \$5,000 plus costs for each subsequent
3 violation of this Act, and the rules promulgated hereunder, on
4 any person or entity described in this Act. Such fine may be
5 imposed as an alternative to any other disciplinary measure,
6 except for probation. The imposition by the Department of a
7 fine for any violation does not bar the violation from being
8 alleged in subsequent disciplinary proceedings. Such fines
9 shall be deposited in the Fund.

10 (Source: P.A. 100-201, eff. 8-18-17.)

11 (225 ILCS 50/21) (from Ch. 111, par. 7421)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 21. The Department may investigate the actions of any
14 applicant, corporation, partnership, trust, association or
15 other entity, or any person holding or claiming to hold a
16 license. The Department shall, before refusing to issue a
17 license or disciplining a registrant or a corporation,
18 partnership, trust, association or other entity, notify, in
19 writing, at least 10 days prior to the date set for the
20 hearing, the applicant for, or holder of, a license, or
21 corporation, partnership, trust, association or other entity.
22 The notification shall set forth the charges against the
23 person, corporation, partnership, trust, association, or other
24 entity which form the basis for the refusal to issue a license
25 or the disciplinary action taken. If the person, corporation,

1 partnership, trust, association, or other entity desires to
2 contest any Department action under this Section he, she or
3 the corporation, partnership, trust, association, or other
4 entity shall send a written request for a hearing to the
5 Department within 10 days of receipt of notice of the
6 Department's action. If timely requested by the person or the
7 corporation, partnership, trust, association, or other entity,
8 the date of the hearing shall be set by the Department. The
9 hearing shall determine whether the applicant or licensee is
10 entitled to hold such license, and shall afford such person an
11 opportunity to be heard in person or by counsel. A hearing
12 shall also determine whether a corporation, partnership,
13 trust, association, or other entity is subject to disciplinary
14 action, and shall afford such entities an opportunity to be
15 heard by their representative or by counsel. Such written
16 notice may be served by certified or registered mail to the
17 respondent at its last known address. Upon receipt of a
18 request in writing for a hearing, a duly qualified employee of
19 the Department designated in writing by the Director ~~and~~
20 ~~approved by the Board~~ as a hearing officer shall conduct a
21 hearing to review the decision. Notice of the time and place of
22 the hearing shall be given to the person or corporation,
23 partnership, trust, association, or other entity at least 10
24 days prior to the date set for the hearing. At the time and
25 place fixed in the notice, the hearing officer shall hear the
26 charges and the parties shall be accorded opportunity to

1 present such statements, testimony and evidence as may be
2 pertinent to the charges or defenses. The hearing officer may
3 continue such hearing from time to time. Pursuant to rule, the
4 Director may conduct informal hearings, ~~and shall so inform~~
5 ~~the Board~~. The Director, ~~Board~~ or hearing officer may compel,
6 by subpoena, the attendance and testimony of witnesses and the
7 production of books and papers and may administer oaths.

8 (Source: P.A. 86-800.)

9 (225 ILCS 50/22) (from Ch. 111, par. 7422)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 22. Findings and recommendations to ~~of~~ the Director
12 ~~Board~~. At the conclusion of the hearing, the hearing officer
13 shall make findings of fact in such hearing to the Director
14 ~~Board~~. The Director ~~Board~~ shall review the findings of fact
15 ~~and present to the Director a written report of its finding and~~
16 ~~recommendation~~ as to whether or not the accused person
17 violated this Act or failed to comply with the conditions
18 required in this Act or any rule promulgated under this Act.
19 The Director ~~Board~~ shall specify the nature of the violation
20 or failure to comply ~~and shall make its recommendations to the~~
21 ~~Director~~.

22 The report of findings and recommendation of the hearing
23 officer ~~Board~~ shall be the basis for the Department's action
24 with respect to licensees or the imposition of any
25 disciplinary action unless the Director determines that the

1 report and recommendation is contrary to the manifest weight
2 of the evidence, in which case the Director may issue an order
3 in contravention of the report and recommendation. The
4 findings are not admissible in evidence against the person in
5 a criminal prosecution brought for the violation of this Act,
6 but the hearing and findings are not a bar to a criminal
7 prosecution brought for violating this Act.

8 (Source: P.A. 89-72, eff. 12-31-95.)

9 (225 ILCS 50/23) (from Ch. 111, par. 7423)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 23. The Department, at its expense, shall preserve a
12 record of all proceedings at the formal hearing of any case
13 involving the refusal to issue a license or to discipline a
14 licensee. The notice of hearing, the complaint and all other
15 documents in the nature of pleadings and written motions filed
16 in the proceedings, the transcript of testimony, ~~the report of~~
17 ~~the Board~~ and the orders of the Department shall be the record
18 of such proceeding.

19 In any case involving the refusal to issue a license or to
20 discipline a licensee, a copy of the hearing officer's ~~Board's~~
21 report shall be served upon the respondent by the Department,
22 as provided in this Act for the service of the notice of
23 hearing. Within 20 days after such service, the respondent may
24 present to the Department a motion in writing for a rehearing,
25 which motion shall specify the particular grounds therefor. If

1 no motion for rehearing is filed, then upon the expiration of
2 the time specified for filing such a motion, or if a motion for
3 rehearing is denied, then upon such denial, the Director may
4 enter an order in accordance with recommendations of the
5 hearing officer ~~Board~~. If the respondent orders and pays for a
6 transcript of the record within the time for filing a motion
7 for rehearing, the 20-day period within which such a motion
8 may be filed shall commence upon the delivery of the
9 transcript to the respondent.

10 Whenever the Director is satisfied that substantial
11 justice has not been done either in an examination or in the
12 revocation, suspension or refusal to issue a license, the
13 Director may order a re-examination or rehearing.

14 (Source: P.A. 86-800.)

15 (225 ILCS 50/27.1) (from Ch. 111, par. 7427.1)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 27.1. Notwithstanding the provisions of Section 21 of
18 this Act, the Director shall have the authority to appoint any
19 attorney duly licensed to practice law in the State of
20 Illinois to serve as hearing officer in any action for refusal
21 to issue or renew a license, or discipline of an applicant or
22 licensee regulated by this Act. ~~The Director shall notify the~~
23 ~~Board of any such appointment.~~ The hearing officer shall have
24 full authority to conduct the hearing. The hearing officer
25 shall report his findings of fact, conclusions of law and

1 recommendations to ~~the Board and~~ the Director. Within The
2 ~~Board shall have~~ 60 days from receipt of the report ~~to review~~
3 ~~the report~~ of the hearing officer ~~and present their findings~~
4 ~~of fact, conclusions of law and recommendations to the~~
5 ~~Director. If the Board fails to present its report within the~~
6 ~~60 day period,~~ the Director shall issue an order based on the
7 report of the hearing officer. If the Director disagrees in
8 any regard with the report of the ~~Board or~~ hearing officer, the
9 Director ~~he~~ may issue an order in contravention thereof. ~~The~~
10 ~~Director shall provide a written explanation to the Board on~~
11 ~~any such deviation, and shall specify with particularity the~~
12 ~~reasons for such action in the final order. Members of the~~
13 ~~Board may be present at all formal hearings brought under the~~
14 ~~provisions of this Act.~~

15 (Source: P.A. 86-800.)

16 (225 ILCS 50/30) (from Ch. 111, par. 7430)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 30. The determination by a circuit court that a
19 licensee is subject to involuntary admission or judicial
20 admission, as provided in the "Mental Health and Developmental
21 Disabilities Code", approved September 5, 1978, as amended,
22 operates as an automatic suspension of his license. Such
23 suspension will end upon a finding by a court that the patient
24 is no longer subject to involuntary admission or judicial
25 admission and the court issues an order so finding and

1 discharging the patient and upon the recommendation of the
2 hearing officer ~~Board~~ to the Director that the licensee be
3 allowed to resume his practice.

4 (Source: P.A. 86-800.)

5 (225 ILCS 50/16 rep.)

6 (225 ILCS 50/17 rep.)

7 Section 95. The Hearing Instrument Consumer Protection Act
8 is amended by repealing Sections 16 and 17.

9 Section 100. The Health Care Workplace Violence Prevention
10 Act is amended by changing Section 35 as follows:

11 (405 ILCS 90/35)

12 Sec. 35. Pilot project; ~~task force.~~ ~~(a)~~ The Department of
13 Human Services and the Department of Public Health shall
14 initially implement this Act as a 2-year pilot project in
15 which only the following health care workplaces shall
16 participate:

17 (1) The Chester Mental Health Center.

18 (2) The Alton Mental Health Center.

19 (3) The Douglas Singer Mental Health Center.

20 (4) The Andrew McFarland Mental Health Center.

21 (5) The Jacksonville Developmental Center.

22 Each health care workplace participating in the pilot
23 project shall comply with this Act as provided in this Act.

1 ~~(b) The Governor shall convene a 11-member task force~~
2 ~~consisting of the following: one member appointed by the~~
3 ~~President of the Senate; one member appointed by the Minority~~
4 ~~Leader of the Senate; one member appointed by the Speaker of~~
5 ~~House of Representatives; one member appointed by the Minority~~
6 ~~Leader of the House of Representatives; one representative~~
7 ~~from a statewide association representing licensed registered~~
8 ~~professional nurses; one licensed registered professional~~
9 ~~nurse involved in direct patient care, appointed by the~~
10 ~~Governor; one representative of an organization representing~~
11 ~~State, county, and municipal employees, appointed by the~~
12 ~~Governor; one representative of an organization representing~~
13 ~~public employees, appointed by the Governor; and 3~~
14 ~~representatives of the Department of Human Services, with one~~
15 ~~representative from the Division of Mental Health, one~~
16 ~~representative from the Division of Developmental~~
17 ~~Disabilities, and one representative from the Division of~~
18 ~~Rehabilitation Services of the Department of Human Services.~~
19 ~~The task force shall submit a report to the Illinois General~~
20 ~~Assembly by January 1, 2008 that shall (i) evaluate the~~
21 ~~effectiveness of the health care workplace violence prevention~~
22 ~~pilot project in the facilities participating in the pilot~~
23 ~~project and (ii) make recommendations concerning the~~
24 ~~implementation of workplace violence prevention programs in~~
25 ~~all health care workplaces.~~

26 ~~(c) The Department of Human Services shall provide all~~

1 ~~necessary administrative support to the task force.~~

2 (Source: P.A. 94-347, eff. 7-28-05; 94-1012, eff. 7-7-06.)

3 Section 105. The Stem Cell Research and Human Cloning
4 Prohibition Act is amended by changing Sections 10, 25, and 30
5 as follows:

6 (410 ILCS 110/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Department" means the Department of Public Health.

9 "Institute" means the Illinois Regenerative Medicine
10 Institute.

11 ~~"Committee" means the Illinois Regenerative Medicine~~
12 ~~Institute Oversight Committee.~~

13 (Source: P.A. 95-519, eff. 1-1-08.)

14 (410 ILCS 110/25)

15 Sec. 25. Conflict of interest.

16 (a) (Blank) ~~A person has a conflict of interest if any~~
17 ~~Committee action with respect to a matter may directly or~~
18 ~~indirectly financially benefit any of the following:~~

19 ~~(1) That person.~~

20 ~~(2) That person's spouse, immediate family living with~~
21 ~~that person, or that person's extended family.~~

22 ~~(3) Any individual or entity required to be disclosed~~
23 ~~by that person.~~

1 ~~(4) Any other individual or entity with which that~~
2 ~~person has a business or professional relationship.~~

3 (b) (Blank) ~~A Committee member who has a conflict of~~
4 ~~interest with respect to a matter may not discuss that matter~~
5 ~~with other Committee members and shall not vote upon or~~
6 ~~otherwise participate in any Committee action with respect to~~
7 ~~that matter. Each recusal occurring during a Committee meeting~~
8 ~~shall be made a part of the minutes or recording of the meeting~~
9 ~~in accordance with the Open Meetings Act.~~

10 (c) A member of a scientific peer review panel or any other
11 advisory committee that may be established by the Department
12 who has a conflict of interest with respect to a matter may not
13 discuss that matter with other peer review panel or advisory
14 committee members ~~or with Committee members~~ and shall not vote
15 or otherwise participate in any peer review panel or advisory
16 committee action with respect to that matter. Each recusal of
17 a peer review panel or advisory committee member occurring
18 during a peer review panel or advisory committee meeting shall
19 be made a part of the minutes or recording of the meeting in
20 accordance with the Open Meetings Act.

21 (d) The Institute shall not allow any Institute employee
22 to participate in the processing of, or to provide any advice
23 concerning, any matter with which the Institute employee has a
24 conflict of interest.

25 (Source: P.A. 95-519, eff. 1-1-08.)

1 (410 ILCS 110/30)

2 Sec. 30. Disclosure of ~~Committee~~, scientific peer review
3 panel, or advisory committee member income and interests.

4 (a) Each ~~Committee~~, scientific peer review panel, and any
5 advisory committee member shall file with the Secretary of
6 State a written disclosure of the following with respect to
7 the member, the member's spouse, and any immediate family
8 living with the member:

9 (1) Each source of income.

10 (2) Each entity in which the member, spouse, or
11 immediate family living with the member has an ownership
12 or distributive income share that is not an income source
13 required to be disclosed under item (1) of this subsection
14 (a).

15 (3) Each entity in or for which the member, spouse, or
16 immediate family living with the member serves as an
17 executive, officer, director, trustee, or fiduciary.

18 (4) Each entity with which the member, member's
19 spouse, or immediate family living with the member has a
20 contract for future income.

21 (b) Each ~~appointed Committee member and~~ each member of a
22 scientific peer review panel and any advisory committee member
23 shall file the disclosure required by subsection (a) of this
24 Section at the time the member is appointed and at the time of
25 any reappointment of that member.

26 (c) Each ~~Committee member and each~~ member of a scientific

1 peer review panel and any advisory committee member shall file
2 an updated disclosure with the Secretary of State promptly
3 after any change in the items required to be disclosed under
4 this subsection with respect to the member, the member's
5 spouse, or any immediate family living with the member.

6 (d) The requirements of Section 3A-30 of the Illinois
7 Governmental Ethics Act and any other disclosures required by
8 law apply to this Act.

9 (e) Filed disclosures shall be public records.

10 (Source: P.A. 95-519, eff. 1-1-08.)

11 (410 ILCS 110/20 rep.)

12 (410 ILCS 110/35 rep.)

13 Section 110. The Stem Cell Research and Human Cloning
14 Prohibition Act is amended by repealing Sections 20 and 35.

15 (410 ILCS 221/Act rep.)

16 Section 115. The Advisory Board for the Maternal and Child
17 Health Block Grant Programs Act is repealed.

18 (410 ILCS 225/7 rep.)

19 Section 117. The Prenatal and Newborn Care Act is amended
20 by repealing Section 7.

21 (410 ILCS 303/25 rep.)

22 Section 120. The African-American HIV/AIDS Response Act is

1 amended by repealing Section 25.

2 (410 ILCS 413/15 rep.)

3 (410 ILCS 413/20 rep.)

4 Section 125. The Epilepsy Disease Assistance Act is
5 amended by repealing Sections 15 and 20.

6 Section 130. The Head and Spinal Cord Injury Act is
7 amended by changing Sections 1 and 3 as follows:

8 (410 ILCS 515/1) (from Ch. 111 1/2, par. 7851)

9 Sec. 1. As used in this Act, unless the context clearly
10 indicates otherwise:

11 (a) "Department" means the Department of Public Health.

12 (b) "Head Injury" means a sudden insult or damage to the
13 brain or its coverings, not of a degenerative nature, which
14 produces an altered state of consciousness or temporarily or
15 permanently impairs mental, cognitive, behavioral or physical
16 functioning. Cerebral vascular accidents, aneurisms and
17 congenital deficits are excluded from this definition.

18 (c) "Spinal cord injury" means an injury that occurs as a
19 result of trauma, which involves spinal vertebral fracture, or
20 where the injured person suffers any of the following effects:

21 (1) effects on the sensory system including numbness,
22 tingling or loss of sensation in the body or in one or more
23 extremities;

1 (2) effects on the motor system including weakness or
2 paralysis in one or more extremities;

3 (3) effects on the visceral system including bowel or
4 bladder dysfunction or hypotension.

5 ~~(d) "Council" means the Advisory Council on Spinal Cord
6 and Head Injuries.~~

7 (Source: P.A. 86-510.)

8 (410 ILCS 515/3) (from Ch. 111 1/2, par. 7853)

9 Sec. 3. (a) All reports and records made pursuant to this
10 Act and maintained by the Department and other appropriate
11 persons, officials and institutions pursuant to this Act shall
12 be confidential. Information shall not be made available to
13 any individual or institution except to:

14 (1) appropriate staff of the Department; and

15 (2) any person engaged in a bona fide research project,
16 with the permission of the Director of Public Health, except
17 that no information identifying the subjects of the reports or
18 the reporters shall be made available to researchers unless
19 the Department requests and receives consent for such release
20 pursuant to the provisions of this Section. ~~and~~

21 ~~(3) the Council, except that no information identifying
22 the subjects of the reports or the reporters shall be made
23 available to the Council unless consent for release is
24 requested and received pursuant to the provisions of this
25 Section. Only information pertaining to head and spinal cord~~

1 ~~injuries as defined in Section 1 of this Act shall be released~~
2 ~~to the Council.~~

3 (b) The Department shall not reveal the identity of a
4 patient, physician or hospital, except that the identity of
5 the patient may be released upon written consent of the
6 patient, parent or guardian, the identity of the physician may
7 be released upon written consent of the physician, and the
8 identity of the hospital may be released upon written consent
9 of the hospital.

10 (c) The Department shall request consent for release from
11 a patient, a physician or hospital only upon a showing by the
12 applicant for such release that obtaining the identities of
13 certain patients, physicians or hospitals is necessary for his
14 bonafide research directly related to the objectives of this
15 Act.

16 (d) The Department shall at least annually compile a
17 report of the data accumulated through the reporting system
18 established under Section 2 of this Act ~~and shall submit such~~
19 ~~data relating to spinal cord and head injuries in accordance~~
20 ~~with confidentiality restrictions established pursuant to this~~
21 ~~Act to the Council.~~

22 (Source: P.A. 86-510.)

23 (410 ILCS 515/6 rep.)

24 Section 135. The Head and Spinal Cord Injury Act is
25 amended by repealing Section 6.

1 Section 140. The Illinois Adverse Health Care Events
2 Reporting Law of 2005 is amended by changing Section 10-45 as
3 follows:

4 (410 ILCS 522/10-45)

5 Sec. 10-45. Testing period.

6 (a) Prior to the testing period in subsection (b), the
7 Department shall adopt rules for implementing this Law in
8 consultation with ~~the Health Care Event Reporting Advisory~~
9 ~~Committee and~~ individuals who have experience and expertise in
10 devising and implementing adverse health care event or other
11 health care quality reporting systems. The rules shall
12 establish the methodology and format for health care
13 facilities reporting information under this Law to the
14 Department and shall be finalized before the beginning of the
15 testing period under subsection (b).

16 (b) The Department shall conduct a testing period of at
17 least 6 months to test the reporting process to identify any
18 problems or deficiencies with the planned reporting process.

19 (c) None of the information reported and analyzed during
20 the testing period shall be used in any public report under
21 this Law.

22 (d) The Department must substantially address the problems
23 or deficiencies identified during the testing period before
24 fully implementing the reporting system.

1 (e) After the testing period, and after any corrections,
2 adjustments, or modifications are finalized, the Department
3 must give at least 30 days written notice to health care
4 facilities prior to full implementation of the reporting
5 system and collection of adverse event data that will be used
6 in public reports.

7 (f) Following the testing period, 4 calendar quarters of
8 data must be collected prior to the Department's publishing
9 the annual report of adverse events to the public under
10 paragraph (4) of Section 10-35.

11 (g) The process described in subsections (a) through (e)
12 must be completed by the Department no later than July 1, 2007.

13 (h) Notwithstanding any other provision of law, the
14 Department may contract with an entity for receiving all
15 adverse health care event reports, root cause analysis
16 findings, and corrective action plans that must be reported to
17 the Department under this Law and for the compilation of the
18 information and the provision of quarterly and annual reports
19 to the Department describing such information according to the
20 rules adopted by the Department under this Law.

21 (Source: P.A. 94-242, eff. 7-18-05; 95-331, eff. 8-21-07.)

22 (410 ILCS 522/10-40 rep.)

23 Section 145. The Illinois Adverse Health Care Events
24 Reporting Law of 2005 is amended by repealing Section 10-40.

1 Section 150. The Environmental Protection Act is amended
2 by changing Section 17.7 as follows:

3 (415 ILCS 5/17.7) (from Ch. 111 1/2, par. 1017.7)

4 Sec. 17.7. Community water supply testing fee.

5 (a) The Agency shall collect an annual nonrefundable
6 testing fee from each community water supply for participating
7 in the laboratory fee program for analytical services to
8 determine compliance with contaminant levels specified in
9 State or federal drinking water regulations. A community water
10 supply may commit to participation in the laboratory fee
11 program. If the community water supply makes such a
12 commitment, it shall commit for a period consistent with the
13 participation requirements established by the Agency ~~and the~~
14 ~~Community Water Supply Testing Council (Council)~~. If a
15 community water supply elects not to participate, it must
16 annually notify the Agency in writing of its decision not to
17 participate in the laboratory fee program.

18 (b) The Agency shall determine the fee for participating
19 in the laboratory fee program for analytical services. The
20 Agency may establish multi-year participation requirements for
21 community water supplies and establish fees accordingly. The
22 Agency shall base its annual fee determination upon the actual
23 and anticipated costs for testing under State and federal
24 drinking water regulations and the associated administrative
25 costs of the Agency ~~and the Council~~.

1 (c) Community water supplies that choose not to
2 participate in the laboratory fee program or do not pay the
3 fees shall have the duty to analyze all drinking water samples
4 as required by State or federal safe drinking water
5 regulations established after the federal Safe Drinking Water
6 Act Amendments of 1986.

7 (d) There is hereby created in the State Treasury an
8 interest-bearing special fund to be known as the Community
9 Water Supply Laboratory Fund. All fees collected by the Agency
10 under this Section shall be deposited into this Fund and shall
11 be used for no other purpose except those established in this
12 Section. In addition to any monies appropriated from the
13 General Revenue Fund, monies in the Fund shall be appropriated
14 to the Agency in amounts deemed necessary for laboratory
15 testing of samples from community water supplies, and for the
16 associated administrative expenses of the Agency ~~and the~~
17 ~~Council.~~

18 (e) The Agency is authorized to adopt reasonable and
19 necessary rules for the administration of this Section. ~~The~~
20 ~~Agency shall submit the proposed rules for review by the~~
21 ~~Council before submission of the rulemaking for the First~~
22 ~~Notice under Section 5-40 of the Illinois Administrative~~
23 ~~Procedure Act.~~

24 ~~(f) The Director shall establish a Community Water Supply~~
25 ~~Testing Council, consisting of 5 persons who are elected~~
26 ~~municipal officials, 5 persons representing community water~~

1 ~~supplies, one person representing the engineering profession,~~
2 ~~one person representing investor owned utilities, one person~~
3 ~~representing the Illinois Association of Environmental~~
4 ~~Laboratories, and 2 persons representing municipalities and~~
5 ~~community water supplies on a statewide basis, all appointed~~
6 ~~by the Director. Beginning in 1994, the Director shall appoint~~
7 ~~the following to the Council: (i) 2 elected municipal~~
8 ~~officials, 2 community water supply representatives, and 1~~
9 ~~investor owned utility representative, each for a one year~~
10 ~~term; (ii) 2 elected municipal officials and 2 community water~~
11 ~~supply representatives, each for a 2 year term; and (iii) one~~
12 ~~elected municipal official, one community water supply~~
13 ~~representative, one person representing the engineering~~
14 ~~profession, and 2 persons representing municipalities and~~
15 ~~community water supplies on a statewide basis, each for a 3~~
16 ~~year term. As soon as possible after the effective date of this~~
17 ~~amendatory Act of the 92nd General Assembly, the Director~~
18 ~~shall appoint one person representing the Illinois Association~~
19 ~~of Environmental Laboratories to a term of 3 years.~~
20 ~~Thereafter, the Director shall appoint successors in each~~
21 ~~position to 3 year terms. In case of a vacancy, the Director~~
22 ~~may appoint a successor to fill the remaining term of the~~
23 ~~vacancy. Members of the Council shall serve until a successor~~
24 ~~is appointed by the Director. The Council shall select from~~
25 ~~its members a chairperson and such other officers as it deems~~
26 ~~necessary. The Council shall meet at the call of the Director~~

1 ~~er the Chairperson of the Council. The Agency shall provide~~
2 ~~the Council with such supporting services as the Director and~~
3 ~~the Chairperson may designate, and members shall be reimbursed~~
4 ~~for ordinary and necessary expenses incurred in the~~
5 ~~performance of their duties. The Council shall have the~~
6 ~~following duties:~~

7 ~~(1) to hold regular and special meetings at a time and~~
8 ~~place designated by the Director or the Chairperson of the~~
9 ~~Council;~~

10 ~~(2) to consider appropriate means for long term~~
11 ~~financial support of water supply testing, and to make~~
12 ~~recommendations to the Agency regarding a preferred~~
13 ~~approach;~~

14 ~~(3) to review and evaluate the financial implications~~
15 ~~of current and future federal requirements for monitoring~~
16 ~~of public water supplies;~~

17 ~~(4) to review and evaluate management and financial~~
18 ~~audit reports related to the testing program, and to make~~
19 ~~recommendations regarding the Agency's efforts to~~
20 ~~implement the fee system and testing provided for by this~~
21 ~~Section;~~

22 ~~(5) to require an external audit as may be deemed~~
23 ~~necessary by the Council; and~~

24 ~~(6) to conduct such other activities as may be deemed~~
25 ~~appropriate by the Director.~~

26 (Source: P.A. 97-220, eff. 7-28-11.)

1 (420 ILCS 40/14 rep.)

2 Section 155. The Radiation Protection Act of 1990 is
3 amended by repealing Section 14.

4 (430 ILCS 40/6 rep.)

5 Section 160. The Illinois Poison Prevention Packaging Act
6 is amended by repealing Section 6.

7 Section 995. No acceleration or delay. Where this Act
8 makes changes in a statute that is represented in this Act by
9 text that is not yet or no longer in effect (for example, a
10 Section represented by multiple versions), the use of that
11 text does not accelerate or delay the taking effect of (i) the
12 changes made by this Act or (ii) provisions derived from any
13 other Public Act.

14 Section 999. Effective date. This Act takes effect upon
15 becoming law.

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7	20 ILCS 605/605-425 rep.
8	20 ILCS 605/605-1000 rep.
9	20 ILCS 2310/2310-376
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3	225 ILCS 5/3	from Ch. 111, par. 7603
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- 8 410 ILCS 515/1 from Ch. 111 1/2, par. 7851
- 9 410 ILCS 515/3 from Ch. 111 1/2, par. 7853
- 10 410 ILCS 515/6 rep.
- 11 410 ILCS 522/10-45
- 12 410 ILCS 522/10-40 rep.
- 13 415 ILCS 5/17.7 from Ch. 111 1/2, par. 1017.7
- 14 420 ILCS 40/14 rep.
- 15 430 ILCS 40/6 rep.