



Sen. Jeffrey M. Schoenberg

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09300HB4612sam002

LRB093 18160 RXD 50757 a

1 AMENDMENT TO HOUSE BILL 4612

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

4 "Section 5. The Civil Administrative Code of Illinois is  
5 amended by changing Section 5-565 as follows:

6 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

7 Sec. 5-565. In the Department of Public Health.

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

17 (1) Needs assessment.

18 (2) Statewide health objectives.

19 (3) Policy development.

20 (4) Assurance of access to necessary services.

21 There shall be a State Board of Health composed of 17  
22 persons, all of whom shall be appointed by the Governor, with  
23 the advice and consent of the Senate for those appointed by the  
24 Governor on and after June 30, 1998, and one of whom shall be a

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

13 The terms of Board of Health members shall be 3 years,  
14 except that members shall continue to serve on the Board of  
15 Health until a replacement is appointed. Upon the effective  
16 date of this amendatory Act of the 93rd General Assembly, in  
17 the appointment of the Board of Health members appointed to  
18 vacancies or positions with terms expiring on or before  
19 December 31, 2004, the Governor shall appoint up to 6 members  
20 to serve for terms of 3 years; up to 6 members to serve for  
21 terms of 2 years; and up to 5 members to serve for a term of one  
22 year, so that the term of no more than 6 members expire in the  
23 same year. In the appointment of the first Board of Health  
24 ~~members appointed after September 19, 1991 (the effective date~~  
25 ~~of Public Act 87-633), the Governor shall appoint 5 members to~~  
26 ~~serve for terms of 5 years; 5 members to serve for terms of 2~~  
27 ~~years; and 5 members to serve for a term of one year. Members~~  
28 ~~appointed thereafter shall be appointed for terms of 3 years,~~  
29 ~~except that when an appointment is made to fill a vacancy, the~~  
30 ~~appointment shall be for the remaining term of the position~~  
31 ~~vacated. The initial terms for the 2 additional members of the~~  
32 ~~board who are citizens at large appointed under Public Act~~  
33 ~~90-607 shall be for 3 years each, with these positions~~  
34 ~~thereafter being filled as with other members appointed by the~~

1 ~~Governor.~~ All members shall be legal residents of the State of  
2 Illinois. The duties of the Board shall include, but not be  
3 limited to, the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30           (10) To deliver to the Governor for presentation to the  
31 General Assembly a State Health Improvement Plan. The first  
32 and second such plans shall be delivered to the Governor on  
33 January 1, 2006 and on January 1, 2009 respectively, and  
34 then every 4 years thereafter.

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

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

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

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

34          The State Board of Health shall hold at least 3 public

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

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

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

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

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

32 (b) (Blank).

33 (c) An Advisory Board on Necropsy Service to Coroners,  
34 which shall counsel and advise with the Director on the

1 administration of the Autopsy Act. The Advisory Board shall  
2 consist of 11 members, including a senior citizen age 60 or  
3 over, appointed by the Governor, one of whom shall be  
4 designated as chairman by a majority of the members of the  
5 Board. In the appointment of the first Board the Governor shall  
6 appoint 3 members to serve for terms of 1 year, 3 for terms of 2  
7 years, and 3 for terms of 3 years. The members first appointed  
8 under Public Act 83-1538 shall serve for a term of 3 years. All  
9 members appointed thereafter shall be appointed for terms of 3  
10 years, except that when an appointment is made to fill a  
11 vacancy, the appointment shall be for the remaining term of the  
12 position vacant. The members of the Board shall be citizens of  
13 the State of Illinois. In the appointment of members of the  
14 Advisory Board the Governor shall appoint 3 members who shall  
15 be persons licensed to practice medicine and surgery in the  
16 State of Illinois, at least 2 of whom shall have received  
17 post-graduate training in the field of pathology; 3 members who  
18 are duly elected coroners in this State; and 5 members who  
19 shall have interest and abilities in the field of forensic  
20 medicine but who shall be neither persons licensed to practice  
21 any branch of medicine in this State nor coroners. In the  
22 appointment of medical and coroner members of the Board, the  
23 Governor shall invite nominations from recognized medical and  
24 coroners organizations in this State respectively. Board  
25 members, while serving on business of the Board, shall receive  
26 actual necessary travel and subsistence expenses while so  
27 serving away from their places of residence.

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