



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0788

Introduced 2/2/2005, by Rep. Lovana Jones

SYNOPSIS AS INTRODUCED:

New Act

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509

35 ILCS 5/510

from Ch. 120, par. 5-509

from Ch. 120, par. 5-510

Creates the Epilepsy Disease Assistance Act and amends the State Finance Act and the Illinois Income Tax Act. Requires the Department of Public Health and Department of Public Aid to develop certain standards and programs concerning epilepsy. Provides for an Epilepsy Advisory Committee to advise the Departments on their duties under the Act. Provides for the establishment of two regional epilepsy centers. Provides that the Department of Public Health shall provide grants-in-aid to the regional epilepsy centers for necessary educational activities and research, and for the development and maintenance of services for victims of epilepsy and their families. Creates the Regional Epilepsy Center Grants-in-Aid Fund as a special fund in the State treasury for the purpose of funding certain grants-in-aid, and authorizes an Illinois income tax checkoff for contributions to the fund. Effective immediately.

LRB094 07124 RSP 37276 b

FISCAL NOTE ACT
MAY APPLY

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. Short title. This Act may be cited as the
5 Epilepsy Disease Assistance Act.

6 Section 5. Policy declaration. The General Assembly finds
7 that epilepsy is a devastating health condition that afflicts
8 2,300,000 United States citizens, over 125,000 of whom reside
9 in Illinois. The General Assembly also finds that epilepsy
10 afflicts its victims at all ages, but is particularly
11 devastating to children and the elderly. It is the opinion of
12 the General Assembly that epilepsy can cause serious financial,
13 social, and emotional hardships on the victims and their
14 families of such a major consequence that it is essential for
15 the State to develop and implement policies, plans, programs,
16 and services to alleviate these hardships.

17 It is the intent of the General Assembly through
18 implementation of this Act to establish a program for the
19 conduct of education and research regarding the cause, cure,
20 and treatment of both the physiologic and psychosocial aspects
21 of epilepsy. Additionally, it is the intent of the General
22 Assembly, through a comprehensive, state-wide system of
23 community-based services (Regional Epilepsy Centers), to
24 provide for the identification, evaluation, diagnosis,
25 referral, and treatment of victims of this disease.

26 Section 10. Duties of the Departments.

27 (a) The Department of Public Health shall:

28 (1) Assist in the development and expansion of programs
29 for the care and treatment of persons suffering from
30 epilepsy, particularly children and the elderly.

31 (2) Institute and carry on an educational program among

1 health care professionals, teachers, school administrators,
2 public health departments, and families, including the
3 dissemination of information and the conducting of
4 educational programs to assist in the recognition and
5 referral of persons for appropriate followup and
6 treatment.

7 (b) The Department of Public Aid shall:

8 (1) Develop standards for determining eligibility for
9 care and treatment under this program. Among other
10 standards so developed under this paragraph, candidates,
11 to be eligible, must be referred and evaluated by a program
12 properly staffed and equipped.

13 (2) Extend financial assistance to persons suffering
14 from epilepsy and also provide reasonable charges and fees
15 for:

16 (i) referral and evaluation for appropriate care
17 and treatment; and

18 (ii) diagnosis and treatment by an epileptologist.

19 Section 15. Epilepsy Advisory Committee. The Epilepsy
20 Advisory Committee is created as a joint committee within the
21 Department of Public Aid and within the Department of Public
22 Health. The Epilepsy Advisory Committee shall consist of the
23 Directors of Public Aid and Public Health, or their respective
24 designees, who shall serve as non-voting members and who shall
25 be the co-chairs of the Committee, and 11 voting members
26 appointed by the Governor.

27 The voting members shall include persons who are
28 experienced in the delivery of diagnoses, treatment, and
29 support services to victims of epilepsy and their families.
30 Voting members shall include 3 physicians licensed to practice
31 medicine in all of its branches, at least one of whom shall be
32 a physician who is board-certified in neurology; one
33 representative of an educational institution that is
34 affiliated with a medical center in the State; one
35 representative of a licensed hospital; one nurse; one social

1 worker; one representative of an organization established
2 under the Illinois Insurance Code for the purpose of providing
3 health insurance; one representative of the Epilepsy
4 Foundation of Greater Chicago; and 2 victims of epilepsy or
5 members of their families.

6 Each voting member shall serve for a term of 2 years and
7 until his or her successor is appointed and qualified. Members
8 of the Committee shall not be compensated, but shall be
9 reimbursed for expenses actually incurred in the performance of
10 their duties from funds appropriated for that purpose. No more
11 than 7 voting members may be of the same political party.
12 Vacancies shall be filled in the same manner as original
13 appointments.

14 The Epilepsy Advisory Committee shall advise the
15 Department of Public Health and the Department of Public Aid on
16 their duties under this Act.

17 Section 20. Regional Committees. The Epilepsy Committee
18 shall recommend the establishment of 2 Regional Epilepsy
19 Centers for providing community services to victims of epilepsy
20 and their families.

21 Section 25. Regional Epilepsy Center Grants-in-Aid. The
22 Regional Epilepsy Center Grants-in-Aid Fund is created as a
23 special fund in the State treasury. From appropriations from
24 the Fund and from other sources made available by the General
25 Assembly, the Department of Public Health shall provide
26 grants-in-aid to Regional Epilepsy Centers for necessary
27 educational activities and research and for the development and
28 maintenance of services for victims of epilepsy and their
29 families. The Department shall adopt rules governing the
30 distribution and specific purpose of these grants.

31 Section 30. The State Finance Act is amended by adding
32 Section 5.640 as follows:

1 (30 ILCS 105/5.640 new)

2 Sec. 5.640. The Regional Epilepsy Center Grants-in-Aid
3 Fund.

4 Section 35. The Illinois Income Tax Act is amended by
5 changing Sections 509 and 510 and by adding Section 507EE as
6 follows:

7 (35 ILCS 5/507EE new)

8 Sec. 507EE. Regional Epilepsy Center Grants-in-Aid Fund
9 checkoff. The Department must print on its standard individual
10 income tax form a provision indicating that if the taxpayer
11 wishes to contribute to the Regional Epilepsy Center
12 Grants-in-Aid Fund, as authorized by this amendatory Act of the
13 94th General Assembly, he or she may do so by stating the
14 amount of the contribution (not less than \$1) on the return and
15 that the contribution will reduce the taxpayer's refund or
16 increase the amount of payment to accompany the return. Failure
17 to remit any amount of increased payment reduces the
18 contribution accordingly. This Section does not apply to any
19 amended return.

20 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

21 Sec. 509. Tax checkoff explanations. All individual income
22 tax return forms shall contain appropriate explanations and
23 spaces to enable the taxpayers to designate contributions to
24 the following funds: the Child Abuse Prevention Fund, the
25 Illinois Wildlife Preservation Fund (as required by the
26 Illinois Non-Game Wildlife Protection Act), the Alzheimer's
27 Disease Research Fund (as required by the Alzheimer's Disease
28 Research Act), the Assistance to the Homeless Fund (as required
29 by this Act), the Penny Severns Breast and Cervical Cancer
30 Research Fund, the National World War II Memorial Fund, the
31 Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS)
32 Research Fund, the Multiple Sclerosis Assistance Fund, the
33 Leukemia Treatment and Education Fund, the World War II

1 Illinois Veterans Memorial Fund, the Korean War Veterans
2 National Museum and Library Fund, the Illinois Military Family
3 Relief Fund, the Illinois Veterans' Homes Fund, the Regional
4 Epilepsy Center Grants-in-Aid Fund, and the Asthma and Lung
5 Research Fund.

6 Each form shall contain a statement that the contributions
7 will reduce the taxpayer's refund or increase the amount of
8 payment to accompany the return. Failure to remit any amount of
9 increased payment shall reduce the contribution accordingly.

10 If, on October 1 of any year, the total contributions to
11 any one of the funds made under this Section do not equal
12 \$100,000 or more, the explanations and spaces for designating
13 contributions to the fund shall be removed from the individual
14 income tax return forms for the following and all subsequent
15 years and all subsequent contributions to the fund shall be
16 refunded to the taxpayer.

17 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
18 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
19 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
20 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

21 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

22 Sec. 510. Determination of amounts contributed. The
23 Department shall determine the total amount contributed to each
24 of the following: the Child Abuse Prevention Fund, the Illinois
25 Wildlife Preservation Fund, the Assistance to the Homeless
26 Fund, the Alzheimer's Disease Research Fund, the Penny Severns
27 Breast and Cervical Cancer Research Fund, the National World
28 War II Memorial Fund, the Prostate Cancer Research Fund, the
29 Illinois Military Family Relief Fund, the Lou Gehrig's Disease
30 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,
31 the Leukemia Treatment and Education Fund, the World War II
32 Illinois Veterans Memorial Fund, the Korean War Veterans
33 National Museum and Library Fund, the Illinois Veterans' Homes
34 Fund, the Regional Epilepsy Grants-in-Aid Fund, and the Asthma
35 and Lung Research Fund; and shall notify the State Comptroller

1 and the State Treasurer of the amounts to be transferred from
2 the General Revenue Fund to each fund, and upon receipt of such
3 notification the State Treasurer and Comptroller shall
4 transfer the amounts.

5 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
6 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
7 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
8 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.