

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, and
16 programs 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 epilepsy education, awareness, and treatment
20 initiatives designed to address the service gaps and treatment
21 needs of the people impacted by epilepsy. Additionally, it is
22 the intent of the General Assembly, through a comprehensive,
23 statewide system of community-based services (Epilepsy
24 Treatment and Education Program), to provide for the
25 identification, evaluation, diagnosis, referral, and treatment
26 of victims of this disease.

27 Section 10. Duties of the Department.

28 Subject to the availability of funds for these purposes,
29 the Department of Public Health shall:

30 (1) Assist in the development of programs for the care
31 and treatment of persons suffering from epilepsy.

1 (2) Institute and carry on a statewide educational
2 initiative among health care professionals, teachers,
3 school administrators, public health departments, and
4 families, including the dissemination of information and
5 the conducting of educational programs to assist in the
6 early recognition and referral of persons for appropriate
7 followup and treatment.

8 (3) 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 affiliated with a national epilepsy
13 program.

14 (4) Extend assistance to the programs listed in item
15 (2) in order to facilitate linkages for persons with
16 epilepsy through the following:

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

19 (ii) diagnosis and treatment by epileptologists
20 and the Epilepsy Foundation.

21 Section 15. Epilepsy Advisory Committee. The Epilepsy
22 Advisory Committee is created as a committee within the
23 Department of Public Health. The Epilepsy Advisory Committee
24 shall consist of the Director of Public Health, or his or her
25 designee, who shall serve as a non-voting member and who shall
26 be the co-chair of the Committee, and 13 voting members
27 appointed by the Governor.

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

1 representative of a licensed hospital; one nurse; one social
2 worker; one representative of an organization established
3 under the Illinois Insurance Code for the purpose of providing
4 health insurance; one representative of each Illinois Epilepsy
5 Foundation affiliate; and 2 people with epilepsy or members of
6 their families.

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

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

17 Section 20. Regional programs. The Epilepsy Committee
18 shall recommend the establishment of regional epilepsy
19 treatment and education programs designed to provide community
20 services to people with epilepsy and their families.

21 Section 25. Epilepsy Treatment and Education Grants-in-Aid
22 Fund. The Epilepsy Treatment and Education Grants-in-Aid Fund
23 is created as a special fund in the State treasury. Using
24 appropriations from the Fund, the Department of Public Health
25 shall provide grants-in-aid (i) to fund necessary educational
26 activities and (ii) for the development and maintenance of
27 services for victims of epilepsy and their families, as managed
28 through an epilepsy program properly staffed and affiliated
29 with a national epilepsy program. The Department shall adopt
30 rules governing the distribution and specific purpose of these
31 grants.

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

1 (30 ILCS 105/5.640 new)

2 Sec. 5.640. The Epilepsy Treatment and Education
3 Grants-in-Aid 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. Epilepsy Treatment and Education Grants-in-Aid
9 Fund checkoff. The Department must print on its standard
10 individual income tax form a provision indicating that if the
11 taxpayer wishes to contribute to the Epilepsy Treatment and
12 Education Grants-in-Aid Fund, as authorized by this amendatory
13 Act of the 94th General Assembly, he or she may do so by
14 stating the amount of the contribution (not less than \$1) on
15 the return and that the contribution will reduce the taxpayer's
16 refund or increase the amount of payment to accompany the
17 return. Failure to remit any amount of increased payment
18 reduces the contribution accordingly. This Section does not
19 apply to any 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

1 Leukemia Treatment and Education Fund, the World War II
2 Illinois Veterans Memorial Fund, the Korean War Veterans
3 National Museum and Library Fund, the Illinois Military Family
4 Relief Fund, the Illinois Veterans' Homes Fund, the Epilepsy
5 Treatment and Education Grants-in-Aid Fund, and the Asthma and
6 Lung Research Fund.

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

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

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

22 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

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

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

6 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
7 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
8 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
9 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

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