



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0980

Introduced 2/8/2007, by Rep. LaShawn K. Ford

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-317 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that by January 1, 2008, the Department of Public Health shall promulgate rules for all health care facilities subject to licensure, certification, registration, or other regulation by the Department requiring compliance with the recommendations of the U.S. Centers for Disease Control and Prevention concerning human immunodeficiency virus (HIV) testing. Provides that the Department shall conduct a public information campaign for health care providers not subject to regulation by the Department, including physicians, health facilities, public health departments, other public and private health care providers, laboratories, and the general public regarding the importance to the public health of conducting HIV screening in health care settings. Provides that the Department shall create and administer a training program for health care providers who have a need for understanding matters relating to HIV and AIDS in accordance with the CDC recommendations. Provides that this training may be made available to public employees and the employees of private agencies and that the Department may charge fees to cover the actual costs of the training. Provides that the Department shall recommend and approve tests or testing procedures used in determining, preventing, and controlling HIV and AIDS. Effective immediately.

LRB095 08268 KBJ 28440 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

2 WHEREAS, The human immunodeficiency virus (HIV) and  
3 acquired immunodeficiency syndrome (AIDS) are leading causes  
4 of illness and death; and

5 WHEREAS, Effective September 2006, the U.S. Centers for  
6 Disease Control and Prevention (CDC) revised its  
7 recommendations for HIV testing due to the changing  
8 demographics of the persons who have become infected since the  
9 1980's, which include increasing proportions of persons less  
10 than 20 years of age, women, members of racial and ethnic  
11 minority populations, persons who reside outside metropolitan  
12 areas, and heterosexual men and women who frequently are  
13 unaware that they are at risk for HIV; and

14 WHEREAS, The CDC reports that prevention strategies that  
15 incorporate universal HIV screening have been highly effective  
16 and recommends screening for HIV infection for all persons 13  
17 to 64 years of age; and

18 WHEREAS, It is declared to be the public policy of this  
19 State that HIV screening be conducted in accordance with the  
20 recommendations of the CDC and that the Department of Public  
21 Health shall develop and administer compliant policies and  
22 procedures for health care providers subject to State  
23 regulation, as well as related public health information and

1 education programs; therefore

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-317 as follows:

7 (20 ILCS 2310/2310-317 new)

8 Sec. 2310-317. HIV and AIDS testing. By January 1, 2008,  
9 the Department shall promulgate rules for all health care  
10 facilities subject to licensure, certification, registration,  
11 or other regulation by the Department requiring compliance with  
12 the recommendations of the U.S. Centers for Disease Control and  
13 Prevention (CDC), referenced as the Revised Recommendations  
14 for HIV Testing of Adults, Adolescents, and Pregnant Women in  
15 Health-Care Settings (2006). The Department shall conduct a  
16 public information campaign for health care providers not  
17 subject to regulation by the Department, including physicians,  
18 health facilities, public health departments, other public and  
19 private health care providers, laboratories, and the general  
20 public regarding the importance to the public health of  
21 conducting HIV screening in health care settings. The  
22 Department shall create and administer a training program for  
23 health care providers who have a need for understanding matters

1 relating to HIV and AIDS in accordance with the CDC  
2 recommendations. The training may be made available to public  
3 employees and the employees of private agencies. The Department  
4 may charge fees to cover the actual costs of the training. The  
5 Department shall recommend and approve tests or testing  
6 procedures used in determining, preventing, and controlling  
7 HIV and AIDS.

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