



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1066

Introduced 2/8/2007, by Rep. Suzanne Bassi - Julie Hamos -
Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

210 ILCS 60/15 new

Amends the Hospice Program Licensing Act. Requires the Director of Public Health to appoint a Hospice and Palliative Care Advisory Board to advise the Department of Public Health on all aspects of the Department's responsibilities under the Act, including the format and content of administrative rules adopted by the Department. Sets forth Board member qualifications and terms. Requires the Board to meet at least 4 times each year. Requires the Board to analyze the economic and regulatory impact of the Department's rules adopted under the Act.

LRB095 04171 DRJ 26752 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Hospice Program Licensing Act is amended by
5 adding Section 15 as follows:

6 (210 ILCS 60/15 new)

7 Sec. 15. Hospice and Palliative Care Advisory Board.

8 (a) The Director shall appoint a Hospice and Palliative
9 Care Advisory Board ("the Board") to consult with the
10 Department as provided in this Section. The membership of the
11 Board shall be as follows:

12 (1) The Director, ex officio, who shall be a nonvoting
13 member and shall serve as chairman of the Board.

14 (2) One representative of each of the following State
15 agencies, each of whom shall be a nonvoting member: the
16 Department of Healthcare and Family Services, the
17 Department of Human Services, and the Department on Aging.

18 (3) One member who is a physician licensed to practice
19 medicine in all its branches.

20 (4) One member who is a registered nurse, selected from
21 the recommendations of professional nursing associations.

22 (5) Four members selected from the recommendations of
23 organizations whose primary membership consists of hospice

1 programs.

2 (6) Two members who represent the general public and
3 who have no responsibility for management or formation of
4 policy of a hospice program and no financial interest in a
5 hospice program.

6 (7) One member selected from the recommendations of
7 consumer organizations that engage in advocacy or legal
8 representation on behalf of hospice patients and their
9 immediate families.

10 (b) Of the initial appointees, 4 shall serve for terms of 2
11 years, 4 shall serve for terms of 3 years, and 5 shall serve
12 for terms of 4 years, as determined by lot at the first meeting
13 of the Board. Each successor member shall be appointed for a
14 term of 4 years. A member appointed to fill a vacancy before
15 the expiration of the term for which his or her predecessor was
16 appointed shall be appointed to serve for the remainder of that
17 term.

18 (c) The Board shall meet as frequently as the chairman
19 deems necessary, but not less than 4 times each year. Upon the
20 request of 4 or more Board members, the chairman shall call a
21 meeting of the Board. A Board member may designate a
22 replacement to serve at a Board meeting in place of the member
23 by submitting a letter stating that designation to the chairman
24 before or at the Board meeting. The replacement member must
25 represent the same general interests as the member being
26 replaced, as described in paragraphs (1) through (7) of

1 subsection (a).

2 (d) Board members are entitled to reimbursement for their
3 actual expenses incurred in performing their duties.

4 (e) The Board shall advise the Department on all aspects of
5 the Department's responsibilities under this Act, including
6 the format and content of any rules adopted by the Department
7 on or after the effective date of this amendatory Act of the
8 95th General Assembly. Any such rule or amendment to a rule
9 proposed on or after the effective date of this amendatory Act
10 of the 95th General Assembly, except an emergency rule adopted
11 pursuant to Section 5-45 of the Illinois Administrative
12 Procedure Act, that is adopted without obtaining the advice of
13 the Board is null and void. If the Department fails to follow
14 the advice of the Board with respect to a proposed rule or
15 amendment to a rule, the Department shall, before adopting the
16 rule or amendment to a rule, transmit a written explanation of
17 the reason for its action to the Board. During its review of
18 rules, the Board shall analyze the economic and regulatory
19 impact of those rules. If the Board, having been asked for its
20 advice with respect to a proposed rule or amendment to a rule,
21 fails to advise the Department within 90 days, the proposed
22 rule or amendment shall be considered to have been acted upon
23 by the Board.