

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, selected from the
20 recommendations of a statewide professional society
21 representing physicians licensed to practice medicine in
22 all its branches in all specialties.

23 (4) One member who is a registered nurse, selected from

1 the recommendations of professional nursing associations.

2 (5) Four members selected from the recommendations of
3 organizations whose primary membership consists of hospice
4 programs.

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

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

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

21 (c) The Board shall meet as frequently as the chairman
22 deems necessary, but not less than 4 times each year. Upon the
23 request of 4 or more Board members, the chairman shall call a
24 meeting of the Board. A Board member may designate a
25 replacement to serve at a Board meeting in place of the member
26 by submitting a letter stating that designation to the chairman

1 before or at the Board meeting. The replacement member must
2 represent the same general interests as the member being
3 replaced, as described in paragraphs (1) through (7) of
4 subsection (a).

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

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