



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5318

by Rep. Kevin Joyce

#### SYNOPSIS AS INTRODUCED:

225 ILCS 46/65

Amends the Health Care Worker Background Check Act. Requires the Health Care Worker Task Force to advise the Director of Public Health regarding the implementation of Public Act 95-331 and to review all proposed administrative rules and changes to administrative rules created under the Act (instead of requiring the Task Force to issue an interim and a final report to the Governor and the General Assembly). Provides that beginning on the effective date of the amendatory Act, any Task Force vacancy created by the expiration or termination for any reason of the term of any member appointed by the Governor shall be filled in like manner by an appointee of the Director of Public Health. Sets forth additional requirements of the Task Force. Effective immediately.

LRB095 18273 RAS 44357 b

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 Health Care Worker Background Check Act is  
5 amended by changing Section 65 as follows:

6 (225 ILCS 46/65)

7 Sec. 65. Health Care Worker Task Force. A Health Care  
8 Worker Task Force shall be appointed to study and make  
9 recommendations on statutory changes to this Act.

10 (a) The Task Force shall monitor the status of the  
11 implementation of this Act and monitor complaint  
12 investigations relating to this Act by the Department on Aging,  
13 Department of Public Health, Department of Professional  
14 Regulation, and the Department of Human Services to determine  
15 the criminal background, if any, of health care workers who  
16 have had findings of abuse, theft, or exploitation.

17 (b) The Task Force shall make recommendations concerning  
18 modifications to the list of offenses enumerated in Section 25,  
19 including time limits on all or some of the disqualifying  
20 offenses, and any other necessary or desirable changes to the  
21 Act.

22 (c) The Task Force shall advise the Director of Public  
23 Health regarding the implementation of Public Act 95-331 and

1 shall review all administrative rules and changes to  
2 administrative rules prior to the provision of public notice.  
3 In the event that proposed rules or changes are properly  
4 submitted to the Task Force and the Task Force fails to advise  
5 the Department within 90 days after receipt of the proposed  
6 rules or changes, final action shall be deemed to have been  
7 taken by the Task Force concerning the proposed rules or  
8 changes ~~issue an interim report to the Governor and General~~  
9 ~~Assembly no later than January 1, 2004. The final report shall~~  
10 ~~be issued no later than September 30, 2005, and shall include~~  
11 ~~specific statutory changes recommended, if any.~~

12 (d) The Task Force shall be composed of the following  
13 members, who shall serve without pay:

14 (1) a chairman knowledgeable about health care issues,  
15 who shall be appointed by the Governor;

16 (2) the Director of Public Health or his or her  
17 designee;

18 (3) the Director of State Police or his or her  
19 designee;

20 (3.5) the Director of Healthcare and Family Services or  
21 his or her designee;

22 (3.6) the Secretary of Human Services or his or her  
23 designee;

24 (3.7) the Director of Aging or his or her designee;

25 (4) 2 representatives of health care providers, who  
26 shall be appointed by the Governor;

1 (5) 2 representatives of health care employees, who  
2 shall be appointed by the Governor;

3 (5.5) a representative of a Community Care homemaker  
4 program, who shall be appointed by the Governor;

5 (6) a representative of the general public who has an  
6 interest in health care, who shall be appointed by the  
7 Governor; and

8 (7) 4 members of the General Assembly, one appointed by  
9 the Speaker of the House, one appointed by the House  
10 Minority Leader, one appointed by the President of the  
11 Senate, and one appointed by the Senate Minority Leader.

12 Beginning on the effective date of this amendatory Act of  
13 the 95th General Assembly, any vacancy created by the  
14 expiration or termination for any reason of the term of any  
15 member appointed by the Governor shall be filled in like manner  
16 by an appointee of the Director of Public Health.

17 (e) The Task Force shall meet at least quarterly, and more  
18 frequently at the discretion of the chairperson. Board members  
19 shall serve until a replacement is sworn and qualified. A  
20 quorum constitutes a majority of those members appointed and in  
21 good standing.

22 (Source: P.A. 95-331, eff. 8-21-07.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.