

HB5474



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5474

by Rep. Michael J. Madigan - Barbara Flynn Currie

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-25013

from Ch. 34, par. 5-25013

Amends the Counties Code. Makes a technical change to a Section concerning the powers and duties of the board of health of a county or multiple-county health department.

LRB095 19405 HLH 45700 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-25013 as follows:

6 (55 ILCS 5/5-25013) (from Ch. 34, par. 5-25013)

7 Sec. 5-25013. Organization of board; powers and duties.

8 (A) The ~~The~~ board of health of each county or
9 multiple-county health department shall, immediately after
10 appointment, meet and organize, by the election of one of its
11 number as president and one as secretary, and either from its
12 number or otherwise, a treasurer and such other officers as it
13 may deem necessary. A board of health may make and adopt such
14 rules for its own guidance and for the government of the health
15 department as may be deemed necessary to protect and improve
16 public health not inconsistent with this Division. It shall:

17 1. Hold a meeting prior to the end of each operating
18 fiscal year, at which meeting officers shall be elected for
19 the ensuing operating fiscal year;

20 2. Hold meetings at least quarterly;

21 3. Hold special meetings upon a written request signed
22 by two members and filed with the Secretary or on request
23 of the medical health officer or public health

1 administrator;

2 4. Provide, equip and maintain suitable offices,
3 facilities and appliances for the health department;

4 5. Publish annually, within 90 days after the end of
5 the county's operating fiscal year, in pamphlet form, for
6 free distribution, an annual report showing the condition
7 of its trust on the last day of the most recently completed
8 operating fiscal year, the sums of money received from all
9 sources, giving the name of any donor, how all moneys have
10 been expended and for what purpose, and such other
11 statistics and information in regard to the work of the
12 health department as it may deem of general interest;

13 6. Within its jurisdiction, and professional and
14 technical competence, enforce and observe all State laws
15 pertaining to the preservation of health, and all county
16 and municipal ordinances except as otherwise provided in
17 this Division;

18 7. Within its jurisdiction, and professional and
19 technical competence, investigate the existence of any
20 contagious or infectious disease and adopt measures, not
21 inconsistent with the regulations of the State Department
22 of Public Health, to arrest the progress of the same;

23 8. Within its jurisdiction, and professional and
24 technical competence, make all necessary sanitary and
25 health investigations and inspections;

26 9. Upon request, give professional advice and

1 information to all city, village, incorporated town and
2 school authorities, within its jurisdiction, in all
3 matters pertaining to sanitation and public health;

4 10. Appoint a medical health officer as the executive
5 officer for the department, who shall be a citizen of the
6 United States and shall possess such qualifications as may
7 be prescribed by the State Department of Public Health; or
8 appoint a public health administrator who shall possess
9 such qualifications as may be prescribed by the State
10 Department of Public Health as the executive officer for
11 the department, provided that the board of health shall
12 make available medical supervision which is considered
13 adequate by the Director of Public Health;

14 10 1/2. Appoint such professional employees as may be
15 approved by the executive officer who meet the
16 qualification requirements of the State Department of
17 Public Health for their respective positions provided,
18 that in those health departments temporarily without a
19 medical health officer or public health administrator
20 approval by the State Department of Public Health shall
21 suffice;

22 11. Appoint such other officers and employees as may be
23 necessary;

24 12. Prescribe the powers and duties of all officers and
25 employees, fix their compensation, and authorize payment
26 of the same and all other department expenses from the

1 County Health Fund of the county or counties concerned;

2 13. Submit an annual budget to the county board or
3 boards;

4 14. Submit an annual report to the county board or
5 boards, explaining all of its activities and expenditures;

6 15. Establish and carry out programs and services in
7 mental health, including mental retardation and alcoholism
8 and substance abuse, not inconsistent with the regulations
9 of the Department of Human Services;

10 16. Consult with all other private and public health
11 agencies in the county in the development of local plans
12 for the most efficient delivery of health services.

13 (B) The board of health of each county or multiple-county
14 health department may:

15 1. Initiate and carry out programs and activities of
16 all kinds, not inconsistent with law, that may be deemed
17 necessary or desirable in the promotion and protection of
18 health and in the control of disease including
19 tuberculosis;

20 2. Receive contributions of real and personal
21 property;

22 3. Recommend to the county board or boards the adoption
23 of such ordinances and of such rules and regulations as may
24 be deemed necessary or desirable for the promotion and
25 protection of health and control of disease;

26 4. Appoint a medical and dental advisory committee and

1 a non-medical advisory committee to the health department;

2 5. Enter into contracts with the State,
3 municipalities, other political subdivisions and
4 non-official agencies for the purchase, sale or exchange of
5 health services;

6 6. Set fees it deems reasonable and necessary (i) to
7 provide services or perform regulatory activities, (ii)
8 when required by State or federal grant award conditions,
9 (iii) to support activities delegated to the board of
10 health by the Illinois Department of Public Health, or (iv)
11 when required by an agreement between the board of health
12 and other private or governmental organizations, unless
13 the fee has been established as a part of a regulatory
14 ordinance adopted by the county board, in which case the
15 board of health shall make recommendations to the county
16 board concerning those fees. Revenue generated under this
17 Section shall be deposited into the County Health Fund or
18 to the account of the multiple-county health department.

19 7. Enter into multiple year employment contracts with
20 the medical health officer or public health administrator
21 as may be necessary for the recruitment and retention of
22 personnel and the proper functioning of the health
23 department.

24 (C) The board of health of a multiple-county health
25 department may hire attorneys to represent and advise the
26 department concerning matters that are not within the exclusive

1 jurisdiction of the State's Attorney of one of the counties
2 that created the department.

3 (Source: P.A. 89-272, eff. 8-10-95; 89-507, eff. 7-1-97.)