

1 AN ACT concerning State government.

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

4 Section 5. The Civil Administrative Code of Illinois is  
5 amended by changing Section 5-565 as follows:

6 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

7 Sec. 5-565. In the Department of Public Health.

8 (a) The General Assembly declares it to be the public  
9 policy of this State that all citizens of Illinois are entitled  
10 to lead healthy lives. Governmental public health has a  
11 specific responsibility to ensure that a system is in place to  
12 allow the public health mission to be achieved. To develop a  
13 system requires certain core functions to be performed by  
14 government. The State Board of Health is to assume the  
15 leadership role in advising the Director in meeting the  
16 following functions:

17 (1) Needs assessment.

18 (2) Statewide health objectives.

19 (3) Policy development.

20 (4) Assurance of access to necessary services.

21 There shall be a State Board of Health composed of 19 ~~17~~  
22 persons, all of whom shall be appointed by the Governor, with  
23 the advice and consent of the Senate for those appointed by the

1 Governor on and after June 30, 1998, and one of whom shall be a  
2 senior citizen age 60 or over. Five members shall be physicians  
3 licensed to practice medicine in all its branches, one  
4 representing a medical school faculty, one who is board  
5 certified in preventive medicine, and one who is engaged in  
6 private practice. One member shall be a chiropractic physician.  
7 One member shall be a dentist; one an environmental health  
8 practitioner; one a local public health administrator; one a  
9 local board of health member; one a registered nurse; one a  
10 physical therapist; one a veterinarian; one a public health  
11 academician; one a health care industry representative; one a  
12 representative of the business community; one a representative  
13 of the non-profit public interest community; and 2 shall be  
14 citizens at large.

15 The terms of Board of Health members shall be 3 years,  
16 except that members shall continue to serve on the Board of  
17 Health until a replacement is appointed. Upon the effective  
18 date of this amendatory Act of the 93rd General Assembly, in  
19 the appointment of the Board of Health members appointed to  
20 vacancies or positions with terms expiring on or before  
21 December 31, 2004, the Governor shall appoint up to 6 members  
22 to serve for terms of 3 years; up to 6 members to serve for  
23 terms of 2 years; and up to 5 members to serve for a term of one  
24 year, so that the term of no more than 6 members expire in the  
25 same year. All members shall be legal residents of the State of  
26 Illinois. The duties of the Board shall include, but not be

1 limited to, the following:

2 (1) To advise the Department of ways to encourage  
3 public understanding and support of the Department's  
4 programs.

5 (2) To evaluate all boards, councils, committees,  
6 authorities, and bodies advisory to, or an adjunct of, the  
7 Department of Public Health or its Director for the purpose  
8 of recommending to the Director one or more of the  
9 following:

10 (i) The elimination of bodies whose activities are  
11 not consistent with goals and objectives of the  
12 Department.

13 (ii) The consolidation of bodies whose activities  
14 encompass compatible programmatic subjects.

15 (iii) The restructuring of the relationship  
16 between the various bodies and their integration  
17 within the organizational structure of the Department.

18 (iv) The establishment of new bodies deemed  
19 essential to the functioning of the Department.

20 (3) To serve as an advisory group to the Director for  
21 public health emergencies and control of health hazards.

22 (4) To advise the Director regarding public health  
23 policy, and to make health policy recommendations  
24 regarding priorities to the Governor through the Director.

25 (5) To present public health issues to the Director and  
26 to make recommendations for the resolution of those issues.

1           (6) To recommend studies to delineate public health  
2 problems.

3           (7) To make recommendations to the Governor through the  
4 Director regarding the coordination of State public health  
5 activities with other State and local public health  
6 agencies and organizations.

7           (8) To report on or before February 1 of each year on  
8 the health of the residents of Illinois to the Governor,  
9 the General Assembly, and the public.

10          (9) To review the final draft of all proposed  
11 administrative rules, other than emergency or preemptory  
12 rules and those rules that another advisory body must  
13 approve or review within a statutorily defined time period,  
14 of the Department after September 19, 1991 (the effective  
15 date of Public Act 87-633). The Board shall review the  
16 proposed rules within 90 days of submission by the  
17 Department. The Department shall take into consideration  
18 any comments and recommendations of the Board regarding the  
19 proposed rules prior to submission to the Secretary of  
20 State for initial publication. If the Department disagrees  
21 with the recommendations of the Board, it shall submit a  
22 written response outlining the reasons for not accepting  
23 the recommendations.

24          In the case of proposed administrative rules or  
25 amendments to administrative rules regarding immunization  
26 of children against preventable communicable diseases

1 designated by the Director under the Communicable Disease  
2 Prevention Act, after the Immunization Advisory Committee  
3 has made its recommendations, the Board shall conduct 3  
4 public hearings, geographically distributed throughout the  
5 State. At the conclusion of the hearings, the State Board  
6 of Health shall issue a report, including its  
7 recommendations, to the Director. The Director shall take  
8 into consideration any comments or recommendations made by  
9 the Board based on these hearings.

10 (10) To deliver to the Governor for presentation to the  
11 General Assembly a State Health Improvement Plan. The first  
12 and second such plans shall be delivered to the Governor on  
13 January 1, 2006 and on January 1, 2009 respectively, and  
14 then every 4 years thereafter.

15 The Plan shall recommend priorities and strategies to  
16 improve the public health system and the health status of  
17 Illinois residents, taking into consideration national  
18 health objectives and system standards as frameworks for  
19 assessment.

20 The Plan shall also take into consideration priorities  
21 and strategies developed at the community level through the  
22 Illinois Project for Local Assessment of Needs (IPLAN) and  
23 any regional health improvement plans that may be  
24 developed. The Plan shall focus on prevention as a key  
25 strategy for long-term health improvement in Illinois.

26 The Plan shall examine and make recommendations on the

1 contributions and strategies of the public and private  
2 sectors for improving health status and the public health  
3 system in the State. In addition to recommendations on  
4 health status improvement priorities and strategies for  
5 the population of the State as a whole, the Plan shall make  
6 recommendations regarding priorities and strategies for  
7 reducing and eliminating health disparities in Illinois;  
8 including racial, ethnic, gender, age, socio-economic and  
9 geographic disparities.

10 The Director of the Illinois Department of Public  
11 Health shall appoint a Planning Team that includes a range  
12 of public, private, and voluntary sector stakeholders and  
13 participants in the public health system. This Team shall  
14 include: the directors of State agencies with public health  
15 responsibilities (or their designees), including but not  
16 limited to the Illinois Departments of Public Health and  
17 Department of Human Services, representatives of local  
18 health departments, representatives of local community  
19 health partnerships, and individuals with expertise who  
20 represent an array of organizations and constituencies  
21 engaged in public health improvement and prevention.

22 The State Board of Health shall hold at least 3 public  
23 hearings addressing drafts of the Plan in representative  
24 geographic areas of the State. Members of the Planning Team  
25 shall receive no compensation for their services, but may  
26 be reimbursed for their necessary expenses.

1           (11) Upon the request of the Governor, to recommend to  
2           the Governor candidates for Director of Public Health when  
3           vacancies occur in the position.

4           (12) To adopt bylaws for the conduct of its own  
5           business, including the authority to establish ad hoc  
6           committees to address specific public health programs  
7           requiring resolution.

8           Upon appointment, the Board shall elect a chairperson from  
9           among its members.

10          Members of the Board shall receive compensation for their  
11          services at the rate of \$150 per day, not to exceed \$10,000 per  
12          year, as designated by the Director for each day required for  
13          transacting the business of the Board and shall be reimbursed  
14          for necessary expenses incurred in the performance of their  
15          duties. The Board shall meet from time to time at the call of  
16          the Department, at the call of the chairperson, or upon the  
17          request of 3 of its members, but shall not meet less than 4  
18          times per year.

19          (b) (Blank).

20          (c) An Advisory Board on Necropsy Service to Coroners,  
21          which shall counsel and advise with the Director on the  
22          administration of the Autopsy Act. The Advisory Board shall  
23          consist of 11 members, including a senior citizen age 60 or  
24          over, appointed by the Governor, one of whom shall be  
25          designated as chairman by a majority of the members of the  
26          Board. In the appointment of the first Board the Governor shall

1 appoint 3 members to serve for terms of 1 year, 3 for terms of 2  
2 years, and 3 for terms of 3 years. The members first appointed  
3 under Public Act 83-1538 shall serve for a term of 3 years. All  
4 members appointed thereafter shall be appointed for terms of 3  
5 years, except that when an appointment is made to fill a  
6 vacancy, the appointment shall be for the remaining term of the  
7 position vacant. The members of the Board shall be citizens of  
8 the State of Illinois. In the appointment of members of the  
9 Advisory Board the Governor shall appoint 3 members who shall  
10 be persons licensed to practice medicine and surgery in the  
11 State of Illinois, at least 2 of whom shall have received  
12 post-graduate training in the field of pathology; 3 members who  
13 are duly elected coroners in this State; and 5 members who  
14 shall have interest and abilities in the field of forensic  
15 medicine but who shall be neither persons licensed to practice  
16 any branch of medicine in this State nor coroners. In the  
17 appointment of medical and coroner members of the Board, the  
18 Governor shall invite nominations from recognized medical and  
19 coroners organizations in this State respectively. Board  
20 members, while serving on business of the Board, shall receive  
21 actual necessary travel and subsistence expenses while so  
22 serving away from their places of residence.

23 (Source: P.A. 93-975, eff. 1-1-05.)

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