



Sen. Bill Brady

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09600SB2291sam001

LRB096 11534 RCE 26033 a

1 AMENDMENT TO SENATE BILL 2291

2 AMENDMENT NO. _____. Amend Senate Bill 2291 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Public Health Act is amended
5 by adding Section 8.5 as follows:

6 (20 ILCS 2305/8.5 new)

7 Sec. 8.5. Deputy Director; termination. The Deputy
8 Director of the Office of Policy, Planning, and Statistics
9 holding that position on April 29, 2009 is terminated on July
10 1, 2009, by operation of law, and shall thereafter no longer
11 hold that position or any other employment position with the
12 Department. The Governor and Director of Public Health are
13 directed to take whatever action is necessary to effectuate
14 this termination.

15 Section 10. The Illinois Health Facilities Planning Act is

1 amended by changing Section 4 and by adding Section 15.9 as
2 follows:

3 (20 ILCS 3960/4) (from Ch. 111 1/2, par. 1154)

4 (Section scheduled to be repealed on July 1, 2009)

5 Sec. 4. Health Facilities Planning Board; membership;
6 appointment; term; compensation; quorum. There is created the
7 Health Facilities Planning Board, which shall perform the
8 functions described in this Act.

9 The State Board shall consist of 5 voting members. Each
10 member shall have a reasonable knowledge of health planning,
11 health finance, or health care at the time of his or her
12 appointment. No person shall be appointed or continue to serve
13 as a member of the State Board who is, or whose spouse, parent,
14 or child is, a member of the Board of Directors of, has a
15 financial interest in, or has a business relationship with a
16 health care facility.

17 Notwithstanding any provision of this Section to the
18 contrary, the term of office of each member of the State Board
19 is abolished on the effective date of this amendatory Act of
20 the 93rd General Assembly and those members no longer hold
21 office.

22 The State Board shall be appointed by the Governor, with
23 the advice and consent of the Senate. Not more than 3 of the
24 appointments shall be of the same political party at the time
25 of the appointment. No person shall be appointed as a State

1 Board member if that person has served, after the effective
2 date of Public Act 93-41, 2 3-year terms as a State Board
3 member, except for ex officio non-voting members.

4 The Secretary of Human Services, the Director of Healthcare
5 and Family Services, and the Director of Public Health, or
6 their designated representatives, shall serve as ex-officio,
7 non-voting members of the State Board.

8 Of those members initially appointed by the Governor under
9 this amendatory Act of the 93rd General Assembly, 2 shall serve
10 for terms expiring July 1, 2005, 2 shall serve for terms
11 expiring July 1, 2006, and 1 shall serve for a term expiring
12 July 1, 2007. Thereafter, each appointed member shall hold
13 office for a term of 3 years, provided that any member
14 appointed to fill a vacancy occurring prior to the expiration
15 of the term for which his or her predecessor was appointed
16 shall be appointed for the remainder of such term and the term
17 of office of each successor shall commence on July 1 of the
18 year in which his predecessor's term expires. Each member
19 appointed after the effective date of this amendatory Act of
20 the 93rd General Assembly shall hold office until his or her
21 successor is appointed and qualified.

22 Notwithstanding any provision of this Section to the
23 contrary, the term of office of each member of the State Board
24 appointed by the Governor who is sitting on the State Board on
25 the effective date of this amendatory Act of the 96th General
26 Assembly is terminated on that effective date. A member sitting

1 on the State Board on the effective date of this amendatory Act
2 of the 96th General Assembly may not hold over in office for
3 more than 60 days after the effective date of this amendatory
4 Act of the 96th General Assembly. Nothing in this Section shall
5 prevent the Governor from making a temporary appointment or
6 nominating a member holding office on the day before the
7 effective date of this amendatory Act of the 96th General
8 Assembly.

9 State Board members, while serving on business of the State
10 Board, shall receive actual and necessary travel and
11 subsistence expenses while so serving away from their places of
12 residence. A member of the State Board who experiences a
13 significant financial hardship due to the loss of income on
14 days of attendance at meetings or while otherwise engaged in
15 the business of the State Board may be paid a hardship
16 allowance, as determined by and subject to the approval of the
17 Governor's Travel Control Board.

18 The Governor shall designate one of the members to serve as
19 Chairman and shall name as full-time Executive Secretary of the
20 State Board, a person qualified in health care facility
21 planning and in administration. The Agency shall provide
22 administrative and staff support for the State Board. The State
23 Board shall advise the Director of its budgetary and staff
24 needs and consult with the Director on annual budget
25 preparation.

26 The State Board shall meet at least once each quarter, or

1 as often as the Chairman of the State Board deems necessary, or
2 upon the request of a majority of the members.

3 Three members of the State Board shall constitute a
4 quorum. The affirmative vote of 3 of the members of the State
5 Board shall be necessary for any action requiring a vote to be
6 taken by the State Board. A vacancy in the membership of the
7 State Board shall not impair the right of a quorum to exercise
8 all the rights and perform all the duties of the State Board as
9 provided by this Act.

10 A State Board member shall disqualify himself or herself
11 from the consideration of any application for a permit or
12 exemption in which the State Board member or the State Board
13 member's spouse, parent, or child: (i) has an economic interest
14 in the matter; or (ii) is employed by, serves as a consultant
15 for, or is a member of the governing board of the applicant or
16 a party opposing the application.

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

18 (20 ILCS 3960/15.9 new)

19 Sec. 15.9. Executive Secretary; termination. The Executive
20 Secretary holding that position on April 29, 2009 is terminated
21 on July 1, 2009, by operation of law, and shall thereafter no
22 longer hold that position or any other employment position with
23 the Board. The Governor and the State Board are directed to
24 take whatever action is necessary to effectuate this
25 termination.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".