

1 AN ACT concerning public health.

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

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-376 as follows:

7 (20 ILCS 2310/2310-376)

8 Sec. 2310-376. Hepatitis education, ~~and~~ outreach, and
9 prevention.

10 (a) The Illinois General Assembly finds and declares the
11 following:

12 (1) An estimated 5,400,000 individuals in the United
13 States are infected with viral hepatitis B (HBV) and
14 hepatitis C (HCV), 75% of these individuals are unaware
15 they are infected.

16 (2) HBV and HCV are leading causes of liver cancer and
17 liver failure and the most common reasons for liver
18 transplantation in the United States.

19 (3) Viral hepatitis is 5 times more prevalent than
20 HIV/AIDS and has led to nearly 17,000 deaths in the United
21 States in 2007 alone; more than 1,000,000 people die each
22 year due to viral hepatitis B and C-related liver disease
23 worldwide.

1 (4) Two of every 3 people with chronic hepatitis C in
2 this country are baby boomers born between 1945 and 1965
3 who were infected decades ago.

4 (5) HCV disproportionately affects minorities. African
5 Americans, who make up 14% of the population, account for
6 22% of HCV cases in the U.S. The Hispanic community also
7 bears a heavier burden; chronic HCV is more aggressive and
8 carries a higher risk of cirrhosis for Hispanics than for
9 any other ethnic group. Immigrants from mainland China and
10 Southeast Asia also have high rates of hepatitis C.

11 (6) HBV also impacts minorities disproportionately.
12 One in 10 to 12 Asian Americans in the U.S. is chronically
13 infected with HBV. Asian Americans make up nearly 50% of
14 the 1,400,000 individuals with chronic HBV infections. In
15 addition, among all racial and ethnic groups, African
16 Americans had the highest new cases of HBV in 2009.

17 (7) The costs for viral hepatitis patients are
18 projected to more than double over the next 20 years, from
19 \$30,000,000,000 to \$85,000,000,000 per year.

20 (8) It is estimated that over 180,000 people in this
21 State are infected with hepatitis C.

22 (9) The percentage of African Americans (19.5%)
23 reported in Illinois with chronic hepatitis C was higher in
24 2004 than the percentage of African Americans (14.7%)
25 within Illinois' population.

26 (10) Almost one of every 3 persons infected with HIV in

1 this State is co-infected with hepatitis B or C.

2 (11) Forty-five percent of deaths occurring in the
3 co-infected population in Illinois are caused by liver
4 damage from chronic hepatitis B and C infections.

5 ~~(1) The World Health Organization characterizes~~
6 ~~hepatitis as a disease of primary concern to humanity.~~

7 ~~(2) Hepatitis is considered a silent killer; no~~
8 ~~recognizable signs or symptoms occur until severe liver~~
9 ~~damage has occurred.~~

10 ~~(3) Studies indicate that nearly 4 million Americans~~
11 ~~(1.8 percent of the population) carry the virus HCV that~~
12 ~~causes the disease.~~

13 ~~(4) 30,000 acute new infections occur each year in the~~
14 ~~United States, and only 25 to 30 percent are diagnosed.~~

15 ~~(5) 8,000 to 10,000 Americans die from the disease each~~
16 ~~year.~~

17 ~~(6) 200,000 Illinois residents may be carriers and~~
18 ~~could develop the debilitating and potentially deadly~~
19 ~~liver disease.~~

20 (12) ~~(7)~~ Inmates of correctional facilities have a
21 higher incidence of hepatitis and, upon their release,
22 present a significant health risk to the general
23 population.

24 (13) ~~(8)~~ Illinois members of the armed services are
25 subject to an increased risk of contracting hepatitis due
26 to their possible receipt of contaminated blood during a

1 transfusion occurring for the treatment of wounds and due
2 to their service in areas of the World where the disease is
3 more prevalent and healthcare is less capable of detecting
4 and treating the disease. Many of these service members are
5 unaware of the danger of viral hepatitis and their
6 increased risk of contracting the disease.

7 (b) Subject to appropriation, the Department shall conduct
8 an education and outreach campaign, in addition to its overall
9 effort to prevent infectious disease in Illinois, in order to
10 raise awareness about and promote prevention of viral
11 hepatitis.

12 (c) Subject to appropriation, in addition to the education
13 and outreach campaign provided in subsection (b), the
14 Department shall develop and make available to physicians,
15 other health care providers, members of the armed services, and
16 other persons subject to an increased risk of contracting
17 hepatitis, educational materials, in written and electronic
18 forms, on the diagnosis, treatment, and prevention of the
19 disease. These materials shall include the recommendations of
20 the federal Centers for Disease Control and Prevention and
21 shall reference the Centers for Disease Control and Prevention
22 guidelines regarding screening ~~any other persons or entities~~
23 ~~determined by the Department to have particular expertise on~~
24 ~~hepatitis, including the American Liver Foundation.~~ These
25 materials shall be written in terms that are understandable by
26 members of the general public.

1 (d) The Department shall establish an Advisory Council on
2 Viral Hepatitis to develop a hepatitis prevention plan. The
3 Department shall specify the membership, members' terms,
4 provisions for removal of members, chairmen, and purpose of the
5 Advisory Council. The Advisory Council shall consist of one
6 representative from each of the following State agencies or
7 offices, appointed by the head of each agency or office:

8 (1) The Department of Public Health.

9 (2) The Department of Public Aid.

10 (3) The Department of Corrections.

11 (4) The Department of Veterans' Affairs.

12 (5) The Department on Aging.

13 (6) The Department of Human Services.

14 (7) The Department of State Police.

15 (8) The office of the State Fire Marshal.

16 The Director shall appoint representatives of
17 organizations and advocates in the State of Illinois,
18 including, but not limited to, the American Liver Foundation,
19 an organization focused on health advocacy for the
20 Asian-American community, and an organization focused on
21 promoting prison reform and advocating for the incarcerated
22 population. The Director shall also appoint interested members
23 of the public, including consumers and providers of health
24 services and representatives of local public health agencies,
25 to provide recommendations and information to the members of
26 the Advisory Council. Members of the Advisory Council shall

1 serve on a voluntary, unpaid basis and are not entitled to
2 reimbursement for mileage or other costs they incur in
3 connection with performing their duties.

4 (e) By January 1, 2013, the Department, in consultation
5 with the Advisory Council, shall prepare the State Viral
6 Hepatitis Plan to guide screening and immunization, referral,
7 and treatment services to those infected with HBV and HCV. To
8 ensure meaningful input by stakeholders into the Plan, the
9 Department shall hold 2 public hearings at locations throughout
10 the State. The public hearings shall include various
11 stakeholders, including public health organizations, patient
12 advocacy organizations, organizations representing the
13 incarcerated population, as well as individuals infected with
14 HBV and HCV.

15 In developing the State Viral Hepatitis Plan, the
16 Department, in consultation with the Advisory Council, is
17 directed to assess the current and future impact of hepatitis B
18 and C on Illinois residents, including the cost of the disease
19 to public and private insurers; examine existing services and
20 access to services; and assess the resources addressing the
21 needs of persons with HBV and HCV.

22 The Plan shall include an examination of the following in
23 its assessment and recommendations:

24 (1) Trends in the State HBV and HCV population,
25 including, but not limited to, the use of State
26 surveillance data of persons with HBV and HCV for the

1 purpose of having proper estimates of the number of persons
2 in the State infected with HBV and HCV.

3 (2) The current economic impact to public and private
4 insurers of HBV and HCV and related disorders, including
5 liver disease, and those persons co-infected with
6 HIV/AIDS. This examination shall include the cost of direct
7 and indirect care paid by Medicaid and other federal-State
8 funded programs and the impact of the federal Affordable
9 Care Act on this population.

10 (3) An assessment of the existing access landscape,
11 including existing screening and immunization programs,
12 education resources, and treatment options for
13 HBV-infected and HCV-infected persons.

14 (4) The impact of HBV and HCV on the prison population
15 in this State and efforts to screen and treat HBV-infected
16 and HCV-infected inmates prior to release.

17 No later than January 1, 2016, the State Viral Hepatitis
18 Plan shall include a strategy to screen a targeted sample of
19 persons born between 1945 and 1965 for HCV, and a strategy to
20 screen a targeted sample of high risk individuals for HBV.

21 (Source: P.A. 93-129, eff. 1-1-04; 94-406, eff. 8-2-05.)

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