

**SB3484**



**97TH GENERAL ASSEMBLY**

**State of Illinois**

**2011 and 2012**

**SB3484**

Introduced 2/7/2012, by Sen. William Delgado

**SYNOPSIS AS INTRODUCED:**

20 ILCS 5/5-565

was 20 ILCS 5/6.06

Amends the Civil Administrative Code of Illinois. Adds an optometrist to the State Board of Health.

LRB097 17753 JDS 62968 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning 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 public health system  
12 is in place to allow the public health mission to be achieved.  
13 The public health system is the collection of public, private,  
14 and voluntary entities as well as individuals and informal  
15 associations that contribute to the public's health within the  
16 State. To develop a public health system requires certain core  
17 functions to be performed by government. The State Board of  
18 Health is to assume the leadership role in advising the  
19 Director in meeting the following functions:

20 (1) Needs assessment.

21 (2) Statewide health objectives.

22 (3) Policy development.

23 (4) Assurance of access to necessary services.

1           There shall be a State Board of Health composed of 20 ~~19~~  
2 persons, all of whom shall be appointed by the Governor, with  
3 the advice and consent of the Senate for those appointed by the  
4 Governor on and after June 30, 1998, and one of whom shall be a  
5 senior citizen age 60 or over. Five members shall be physicians  
6 licensed to practice medicine in all its branches, one  
7 representing a medical school faculty, one who is board  
8 certified in preventive medicine, and one who is engaged in  
9 private practice. One member shall be a chiropractic physician.  
10 One member shall be a dentist; one an environmental health  
11 practitioner; one a local public health administrator; one a  
12 local board of health member; one a registered nurse; one a  
13 physical therapist; one an optometrist; one a veterinarian; one  
14 a public health academician; one a health care industry  
15 representative; one a representative of the business  
16 community; one a representative of the non-profit public  
17 interest community; and 2 shall be citizens at large.

18           The terms of Board of Health members shall be 3 years,  
19 except that members shall continue to serve on the Board of  
20 Health until a replacement is appointed. Upon the effective  
21 date of this amendatory Act of the 93rd General Assembly, in  
22 the appointment of the Board of Health members appointed to  
23 vacancies or positions with terms expiring on or before  
24 December 31, 2004, the Governor shall appoint up to 6 members  
25 to serve for terms of 3 years; up to 6 members to serve for  
26 terms of 2 years; and up to 5 members to serve for a term of one

1 year, so that the term of no more than 6 members expire in the  
2 same year. All members shall be legal residents of the State of  
3 Illinois. The duties of the Board shall include, but not be  
4 limited to, the following:

5 (1) To advise the Department of ways to encourage  
6 public understanding and support of the Department's  
7 programs.

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

13 (i) The elimination of bodies whose activities are  
14 not consistent with goals and objectives of the  
15 Department.

16 (ii) The consolidation of bodies whose activities  
17 encompass compatible programmatic subjects.

18 (iii) The restructuring of the relationship  
19 between the various bodies and their integration  
20 within the organizational structure of the Department.

21 (iv) The establishment of new bodies deemed  
22 essential to the functioning of the Department.

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

25 (4) To advise the Director regarding public health  
26 policy, and to make health policy recommendations

1 regarding priorities to the Governor through the Director.

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

4 (6) To recommend studies to delineate public health  
5 problems.

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

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

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

1           In the case of proposed administrative rules or  
2           amendments to administrative rules regarding immunization  
3           of children against preventable communicable diseases  
4           designated by the Director under the Communicable Disease  
5           Prevention Act, after the Immunization Advisory Committee  
6           has made its recommendations, the Board shall conduct 3  
7           public hearings, geographically distributed throughout the  
8           State. At the conclusion of the hearings, the State Board  
9           of Health shall issue a report, including its  
10          recommendations, to the Director. The Director shall take  
11          into consideration any comments or recommendations made by  
12          the Board based on these hearings.

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

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

23           The Plan shall also take into consideration priorities  
24          and strategies developed at the community level through the  
25          Illinois Project for Local Assessment of Needs (IPLAN) and  
26          any regional health improvement plans that may be

1 developed. The Plan shall focus on prevention as a key  
2 strategy for long-term health improvement in Illinois.

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

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

25 The State Board of Health shall hold at least 3 public  
26 hearings addressing drafts of the Plan in representative

1 geographic areas of the State. Members of the Planning Team  
2 shall receive no compensation for their services, but may  
3 be reimbursed for their necessary expenses.

4 Upon the delivery of each State Health Improvement  
5 Plan, the Governor shall appoint a SHIP Implementation  
6 Coordination Council that includes a range of public,  
7 private, and voluntary sector stakeholders and  
8 participants in the public health system. The Council shall  
9 include the directors of State agencies and entities with  
10 public health system responsibilities (or their  
11 designees), including but not limited to the Department of  
12 Public Health, Department of Human Services, Department of  
13 Healthcare and Family Services, Environmental Protection  
14 Agency, Illinois State Board of Education, Department on  
15 Aging, Illinois Violence Prevention Authority, Department  
16 of Agriculture, Department of Insurance, Department of  
17 Financial and Professional Regulation, Department of  
18 Transportation, and Department of Commerce and Economic  
19 Opportunity and the Chair of the State Board of Health. The  
20 Council shall include representatives of local health  
21 departments and individuals with expertise who represent  
22 an array of organizations and constituencies engaged in  
23 public health improvement and prevention, including  
24 non-profit public interest groups, health issue groups,  
25 faith community groups, health care providers, businesses  
26 and employers, academic institutions, and community-based



1 organizations. The Governor shall endeavor to make the  
2 membership of the Council representative of the racial,  
3 ethnic, gender, socio-economic, and geographic diversity  
4 of the State. The Governor shall designate one State agency  
5 representative and one other non-governmental member as  
6 co-chairs of the Council. The Governor shall designate a  
7 member of the Governor's office to serve as liaison to the  
8 Council and one or more State agencies to provide or  
9 arrange for support to the Council. The members of the SHIP  
10 Implementation Coordination Council for each State Health  
11 Improvement Plan shall serve until the delivery of the  
12 subsequent State Health Improvement Plan, whereupon a new  
13 Council shall be appointed. Members of the SHIP Planning  
14 Team may serve on the SHIP Implementation Coordination  
15 Council if so appointed by the Governor.

16 The SHIP Implementation Coordination Council shall  
17 coordinate the efforts and engagement of the public,  
18 private, and voluntary sector stakeholders and  
19 participants in the public health system to implement each  
20 SHIP. The Council shall serve as a forum for collaborative  
21 action; coordinate existing and new initiatives; develop  
22 detailed implementation steps, with mechanisms for action;  
23 implement specific projects; identify public and private  
24 funding sources at the local, State and federal level;  
25 promote public awareness of the SHIP; advocate for the  
26 implementation of the SHIP; and develop an annual report to

1 the Governor, General Assembly, and public regarding the  
2 status of implementation of the SHIP. The Council shall  
3 not, however, have the authority to direct any public or  
4 private entity to take specific action to implement the  
5 SHIP.

6 (11) Upon the request of the Governor, to recommend to  
7 the Governor candidates for Director of Public Health when  
8 vacancies occur in the position.

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

13 (13) To review and comment upon the Comprehensive  
14 Health Plan submitted by the Center for Comprehensive  
15 Health Planning as provided under Section 2310-217 of the  
16 Department of Public Health Powers and Duties Law of the  
17 Civil Administrative Code of Illinois.

18 Upon appointment, the Board shall elect a chairperson from  
19 among its members.

20 Members of the Board shall receive compensation for their  
21 services at the rate of \$150 per day, not to exceed \$10,000 per  
22 year, as designated by the Director for each day required for  
23 transacting the business of the Board and shall be reimbursed  
24 for necessary expenses incurred in the performance of their  
25 duties. The Board shall meet from time to time at the call of  
26 the Department, at the call of the chairperson, or upon the

1 request of 3 of its members, but shall not meet less than 4  
2 times per year.

3 (b) (Blank).

4 (c) An Advisory Board on Necropsy Service to Coroners,  
5 which shall counsel and advise with the Director on the  
6 administration of the Autopsy Act. The Advisory Board shall  
7 consist of 11 members, including a senior citizen age 60 or  
8 over, appointed by the Governor, one of whom shall be  
9 designated as chairman by a majority of the members of the  
10 Board. In the appointment of the first Board the Governor shall  
11 appoint 3 members to serve for terms of 1 year, 3 for terms of 2  
12 years, and 3 for terms of 3 years. The members first appointed  
13 under Public Act 83-1538 shall serve for a term of 3 years. All  
14 members appointed thereafter shall be appointed for terms of 3  
15 years, except that when an appointment is made to fill a  
16 vacancy, the appointment shall be for the remaining term of the  
17 position vacant. The members of the Board shall be citizens of  
18 the State of Illinois. In the appointment of members of the  
19 Advisory Board the Governor shall appoint 3 members who shall  
20 be persons licensed to practice medicine and surgery in the  
21 State of Illinois, at least 2 of whom shall have received  
22 post-graduate training in the field of pathology; 3 members who  
23 are duly elected coroners in this State; and 5 members who  
24 shall have interest and abilities in the field of forensic  
25 medicine but who shall be neither persons licensed to practice  
26 any branch of medicine in this State nor coroners. In the

1 appointment of medical and coroner members of the Board, the  
2 Governor shall invite nominations from recognized medical and  
3 coroners organizations in this State respectively. Board  
4 members, while serving on business of the Board, shall receive  
5 actual necessary travel and subsistence expenses while so  
6 serving away from their places of residence.

7 (Source: P.A. 96-31, eff. 6-30-09; 96-455, eff. 8-14-09;  
8 96-1000, eff. 7-2-10; 96-1153, eff. 7-21-10.)