

1 AN ACT concerning 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 adding Section 2310-376.5 as follows:

7 (20 ILCS 2310/2310-376.5 new)

8 Sec. 2310-376.5. Hepatitis C testing programs; training of
9 counselors.

10 (a) Subject to appropriation, the Department shall:

11 (1) establish a program to heighten awareness and
12 enhance knowledge and understanding of hepatitis C,
13 including activities to promote public awareness of risk
14 factors, the value of early detection, available screening
15 services, and available treatment options for hepatitis C;

16 (2) conduct a study examining both the current and
17 future statuses of the disease in the State;

18 (3) communicate to health care providers and employers
19 the benefits of disease awareness and prevention; and

20 (4) develop a prevention program to reduce the risk of
21 transmission of hepatitis C.

22 (b) In addition to the requirements of subsection (a) of
23 this Section, the Department shall also, subject to

1 appropriation, establish voluntary hepatitis C testing
2 programs that provide confidential counseling and testing at
3 facilities that provide voluntary HIV testing. The Department
4 may contract with public and private entities to perform the
5 testing.

6 (c) Any test results obtained under subsection (b) of this
7 Section shall not be used for insurance purposes, to screen or
8 determine suitability for employment, or to terminate a
9 person's employment.

10 (d) A person who violates subsection (c) of this Section is
11 liable to the person injured by the violation, who may bring a
12 civil action for damages and recover from the violator the
13 greater of \$1000 or actual damages, and reasonable attorney's
14 fees for each violation. A person may, in addition, bring an
15 action to restrain a violation or threatened violation of
16 subsection (c).

17 (e) The Department shall also, subject to appropriation,
18 develop and offer a hepatitis C counseling training course that
19 includes information relating to the special needs of persons
20 with positive hepatitis C test results, including the
21 importance of early intervention and treatment and recognition
22 of psychosocial needs. The Department may impose a fee for the
23 course to persons other than employees of entities receiving
24 State or federal funds for hepatitis C counseling and testing
25 program through a contract with the Department. The Department
26 shall maintain a registry of persons who successfully complete

1 the training course.

2 (f) The Department may adopt any rules necessary to
3 implement the requirements of this Section.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.