

AN ACT concerning health.

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

Section 1. Short title. This Act may be cited as the Advisory Board for the Maternal and Child Health Block Grant Programs Act.

Section 5. Legislative findings and purpose. The General Assembly finds the following:

(1) The people of Illinois continue to experience and bear the consequences of unacceptable rates of low birth weight, infant mortality, maternal mortality, child and adolescent health problems, including obesity and teen pregnancy, and disparities among racial and ethnic groups with regard to maternal and child health.

(2) The resolution of these challenges requires an approach that considers the health of the entire population and directs resources to high-risk groups based on epidemiological analysis in order to prevent disability, disease, death, or other adverse circumstance, or what may be termed a public health approach.

(3) The General Assembly began the transfer of maternal and child health programs from the Department of Human Services to the Department of Public Health through the

budget for State fiscal year 2014.

Therefore, it is the purpose of the new and amendatory provisions of this Act to complete the transfer of programs and responsibility for direction of Illinois' Maternal and Child Health Block Grant to the Department of Public Health and to complete the transfer of certain statutory authority and regulations from the Department of Human Services to the Department of Public Health, which has already begun through the budget for State fiscal year 2016.

Section 10. Definitions. As used in this Act:

"Board" means the Advisory Board for the Maternal and Child Health Block Grant Programs.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

Section 15. Advisory Board for the Maternal and Child Health Block Grant Programs.

(a) The Advisory Board for the Maternal and Child Health Block Grant Programs is created within the Department to advise the Department on programs and activities related to maternal and child health in the State of Illinois.

The Board shall consist of the Director's designee responsible for maternal and child health programs, who shall serve as the Chair of the Board; the Department's Title V administrator, if the Director's designee is not serving in the

capacity of Title V Director at the Department; one representative each from the Department of Children and Family Services, the Department of Human Services, and the Department of Healthcare and Family Services, appointed by the Director or Secretary of each Department; the Director of the University of Illinois at Chicago's Division of Specialized Care for Children; 4 members of the General Assembly, one each appointed by the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives; and 20 additional members appointed by the Director.

Of the members appointed by the Director:

(1) Two shall be physicians licensed to practice medicine in all of its branches who currently serve patients enrolled in maternal and child health programs funded by the State of Illinois, one of whom shall be an individual with a specialty in obstetrics and gynecology and one of whom shall be an individual with a specialty in pediatric medicine;

(2) Sixteen shall be persons with expertise in one or more of the following areas, with no more than 3 persons from each listed area of expertise and with preference given to the areas of need identified by the most recent State needs assessment: the health of women, infants, young children, school-aged children, adolescents, and children with special health care needs; public health; epidemiology; behavioral health; nursing; social work;

substance abuse prevention; juvenile justice; oral health; child development; chronic disease prevention; health promotion; and education; 5 of the 16 members shall represent organizations that provide maternal and child health services with funds from the Department; and

(3) either 2 consumers who have received services through a Department-funded maternal and child health program, 2 representatives from advocacy groups that advocate on behalf of such consumers, or one such consumer and one such representative of an advocacy group.

Members appointed by the Director shall be selected to represent the racial, ethnic, and geographic diversity of the State's population and shall include representatives of local health departments, other direct service providers, and faculty of the University of Illinois at Chicago School of Public Health Center of Excellence in Maternal and Child Health.

Legislative members shall serve during their term of office in the General Assembly. Members appointed by the Director shall serve a term of 4 years or until their successors are appointed.

Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the

performance of their duties.

(b) The Board shall advise the Director on improving the well-being of mothers, fathers, infants, children, families, and adults, considering both physical and social determinants of health, and using a life-span approach to health promotion and disease prevention in the State of Illinois. In addition, the Board shall review and make recommendations to the Department and the Governor in regard to the system for maternal and child health programs, collaboration, and interrelation between and delivery of programs, both within the Department and with related programs in other departments. In performing its duties, the Board may hold hearings throughout the State and advise and receive advice from any local advisory bodies created to address maternal and child health.

(c) The Board may offer recommendations and feedback regarding the development of the State's annual Maternal and Child Health Services Block Grant application and report as well as the periodic needs assessment.

Section 90. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-450 as follows:

(20 ILCS 2310/2310-450 new)

Sec. 2310-450. Office for maternal and child health.

(a) The Department shall be responsible for administration

of the Maternal and Child Health Services Block Grant authorized by Title V of the federal Social Security Act. The Department shall be responsible for the Maternal and Child Health Block Grant and for preparation and submission of the annual application, annual report, and periodic needs assessment required for the receipt of these funds.

(b) The Department shall be responsible for the administration of the Family Planning Program award to the State of Illinois from Title X of the federal Public Health Service Act (42 U.S.C. 300).

(c) All of the rights, powers, duties, and functions vested by law or that otherwise pertain to the programs and services transferred to the Department by this amendatory Act of the 99th General Assembly are transferred to the Department by July 1, 2016.

(d) The Department may adopt rules necessary to implement this Section. This Section does not affect the legality of any rules that are in force on the effective date of this Section that have been duly adopted by the Department of Human Services in its administration of the Maternal and Child Health Services Block Grant. Those rules shall transfer to the Department and continue in effect until amended or repealed, except that references to a predecessor department shall, in appropriate contexts, be deemed to refer to the successor department under this Section. Any rules proposed prior to the effective date shall also transfer to the Department.

(e) The rights of State employees, the State, and its agencies under the Personnel Code and applicable collective bargaining agreements and retirement plans are not affected by this Section.

(f) The Department of Central Management Services shall establish a sufficient number of full-time positions at the Department, based on input from the Department of Human Services in order to provide for effective administration of these programs.

(g) All books, records, documents, and pending business pertaining to the rights, powers, duties, and functions transferred to the Department under this Section shall be transferred and delivered to the Department by July 1, 2016.

(h) In the case of books, records, or documents that pertain both to a function transferred to the Department under this Section and to a function retained by a predecessor agency or office, the Director and the Secretary of Human Services shall determine whether the books, records, or documents shall be transferred, copied, or left with the predecessor agency or office; until this determination has been made, the transfer of these materials shall not take effect.

(i) In the case of administrative functions performed by other units within the Department of Human Services and for the allocation of State or federal funds that benefited the programs transferred by this amendatory Act of the 99th General Assembly as well as other divisions within the Department of

Human Services, the Director of Public Health and the Secretary of Human Services shall establish interagency agreements to continue these services, as well as cooperation for purposes of federal match and maintenance of effort and distribution of funds after July 1, 2016.

(410 ILCS 212/20 rep.)

(410 ILCS 212/25 rep.)

Section 95. The Illinois Family Case Management Act is amended by repealing Sections 20 and 25.

Section 100. The Prenatal and Newborn Care Act is amended by changing Section 7 as follows:

(410 ILCS 225/7) (from Ch. 111 1/2, par. 7027)

Sec. 7. Advisory board consultation. The Department shall consult with the Maternal and Child Health Advisory Board ~~created~~ under the Advisory Board for the Maternal and Child Health Block Grant Programs Act ~~Illinois Family Case Management Act~~ regarding the implementation of this program. In addition, the Board shall advise the Department on the coordination of services provided under this program with services provided under the Illinois Family Case Management Act and the Problem Pregnancy Health Services and Care Act.

(Source: P.A. 94-407, eff. 8-2-05.)

Section 110. The Developmental Disability Prevention Act is amended by changing Section 8 as follows:

(410 ILCS 250/8) (from Ch. 111 1/2, par. 2108)

Sec. 8. The Department of Public Health, in cooperation with the Department of Human Services, shall establish guidelines for the development of areawide or local programs designed to prevent high risk pregnancies through early identification, screening, management, and followup of the childbearing age high risk female. Such programs shall be based on the local assessment typically by schools, health departments, hospitals, perinatal centers, and local medical societies of need and with emphasis on the coordination of existing resources private and public and in conjunction with local health planning agencies. Funding needs for demonstration and continuing programs shall be determined by the Department of Human Services and Department of Public Health under their respective programs and reported to the General Assembly along with the guidelines for such programs.

(Source: P.A. 89-507, eff. 7-1-97.)

Section 999. Effective date. This Act takes effect upon becoming law.