SB2500

101ST GENERAL ASSEMBLY
State of Illinois
2019 and 2020
SB2500

Introduced 1/28/2020, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

See Index

Amends and repeals various Acts by abolishing various State governmental entities to effect changes in the statutes to conform the statutes to the changes in law made by Executive Order 2018-11 and by making other conforming changes. Effective immediately.

LRB101 11855 RLC 58807 b
AN ACT concerning State government.

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

Section 1. This Act effects the changes in the statutes that are necessary to conform the statutes to the changes in law made by Executive Order 2018-11. Any transitional matter concerning an entity abolished in this Act that has not been completed on the effective date of this Act shall be completed in accordance with Sections II and IV of Executive Order 2018-11.

Section 5. The State Agency Web Site Act is amended by changing Section 10 as follows:

(5 ILCS 177/10)

Sec. 10. Cookies and other invasive tracking programs.

(a) Except as otherwise provided in subsection (b), State agency Web sites may not use permanent cookies or any other invasive tracking programs that monitor and track Web site viewing habits; however, a State agency Web site may use transactional cookies that facilitate business transactions.

(b) Permanent cookies used by State agency Web sites may be exempt from the prohibition in subsection (a) if they meet the following criteria:
(1) The use of permanent cookies adds value to the user otherwise not available;
(2) The permanent cookies are not used to monitor and track web site viewing habits unless all types of information collected and the State's use of that information add user value and are disclosed through a comprehensive online privacy statement.

The Internet Privacy Task Force established under Section 15 shall define the exemption and limitations of this subsection (b) in practice.

(Source: P.A. 93-117, eff. 1-1-04.)

(5 ILCS 177/15 rep.)

Section 10. The State Agency Web Site Act is amended by repealing Section 15.

Section 15. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-300 and 605-600 as follows:

(20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

Sec. 605-300. Economic and business development plans; Illinois Business Development Council. (a) Economic development plans. The Department shall develop a strategic economic development plan for the State by July 1, 2014. By no later than July 1, 2015, and by July 1 annually thereafter, the
Department shall make modifications to the plan as modifications are warranted by changes in economic conditions or by other factors, including changes in policy. In addition to the annual modification, the plan shall be reviewed and redeveloped in full every 5 years. In the development of the annual economic development plan, the Department shall consult with representatives of the private sector, other State agencies, academic institutions, local economic development organizations, local governments, and not-for-profit organizations. The annual economic development plan shall set specific, measurable, attainable, relevant, and time-sensitive goals and shall include a focus on areas of high unemployment or poverty.

The term "economic development" shall be construed broadly by the Department and may include, but is not limited to, job creation, job retention, tax base enhancements, development of human capital, workforce productivity, critical infrastructure, regional competitiveness, social inclusion, standard of living, environmental sustainability, energy independence, quality of life, the effective use of financial incentives, the utilization of public private partnerships where appropriate, and other metrics determined by the Department.

The plan shall be based on relevant economic data, focus on economic development as prescribed by this Section, and emphasize strategies to retain and create jobs.
The plan shall identify and develop specific strategies for utilizing the assets of regions within the State defined as counties and municipalities or other political subdivisions in close geographical proximity that share common economic traits such as commuting zones, labor market areas, or other economically integrated characteristics.

If the plan includes strategies that have a fiscal impact on the Department or any other agency, the plan shall include a detailed description of the estimated fiscal impact of such strategies.

Prior to publishing the plan in its final form, the Department shall allow for a reasonable time for public input.

The Department shall transmit copies of the economic development plan to the Governor and the General Assembly no later than July 1, 2014, and by July 1 annually thereafter. The plan and its corresponding modifications shall be published and made available to the public in both paper and electronic media, on the Department's website, and by any other method that the Department deems appropriate.

The Department shall annually submit legislation to implement the strategic economic development plan or modifications to the strategic economic development plan to the Governor, the President and Minority Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives. The legislation shall be in the form of one or more substantive bills drafted by the Legislative Reference
(b) Business development plans; Illinois Business Development Council.

(1) There is created the Illinois Business Development Council, hereinafter referred to as the Council. The Council shall consist of the Director, who shall serve as co-chairperson, and 12 voting members who shall be appointed by the Governor with the advice and consent of the Senate.

(A) The voting members of the Council shall include one representative from each of the following businesses and groups: small business, coal, healthcare, large manufacturing, small or specialized manufacturing, agriculture, high technology or applied science, local economic development entities, private sector organized labor, a local or state business association or chamber of commerce.

(B) There shall be 2 at-large voting members who reside within areas of high unemployment within counties or municipalities that have had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate as reported by the Department of Employment Security for the 5 years preceding the date of appointment.

(2) All appointments shall be made in a geographically diverse manner.
(3) For the initial appointments to the Council, 6 voting members shall be appointed to serve a 2-year term and 6 voting members shall be appointed to serve a 4-year term. Thereafter, all appointments shall be for terms of 4 years. The initial term of voting members shall commence on the first Wednesday in February 2014. Thereafter, the terms of voting members shall commence on the first Wednesday in February, except in the case of an appointment to fill a vacancy. Vacancies occurring among the members shall be filled in the same manner as the original appointment for the remainder of the unexpired term. For a vacancy occurring when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office, and, upon confirmation by the Senate, he or she shall hold office during the remainder of the term. A vacancy in membership does not impair the ability of a quorum to exercise all rights and perform all duties of the Council. A member is eligible for reappointment.

(4) Members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties from funds appropriated for that purpose.

(5) In addition, the following shall serve as ex officio, non-voting members of the Council in order to provide specialized advice and support to the Council: the
Secretary of Transportation, or his or her designee; the Director of Employment Security, or his or her designee; the Executive Director of the Illinois Finance Authority, or his or her designee; the Director of Agriculture, or his or her designee; the Director of Revenue, or his or her designee; the Director of Labor, or his or her designee; and the Director of the Environmental Protection Agency, or his or her designee. Ex officio members shall provide staff and technical assistance to the Council when appropriate.

(6) In addition to the Director, the voting members shall elect a co-chairperson.

(7) The Council shall meet at least twice annually and at such other times as the co-chairpersons or any 5 voting members consider necessary. Seven voting members shall constitute a quorum of the Council.

(8) The Department shall provide staff assistance to the Council.

(9) The Council shall provide the Department relevant information in a timely manner pursuant to its duties as enumerated in this Section that can be used by the Department to enhance the State's strategic economic development plan.

(10) The Council shall:

(A) Develop an overall strategic business development plan for the State of Illinois and update the plan at least annually; that plan shall include,
(A) Without limitation, (i) an assessment of the economic development practices of states that border Illinois and (ii) recommendations for best practices with respect to economic development, business incentives, business attraction, and business retention for counties in Illinois that border at least one other state.

(B) Develop business marketing plans for the State of Illinois to effectively solicit new company investment and existing business expansion. Insofar as allowed under the Illinois Procurement Code, and subject to appropriations made by the General Assembly for such purposes, the Council may assist the Department in the procurement of outside vendors to carry out such marketing plans.

(C) Seek input from local economic development officials to develop specific strategies to effectively link State and local business development and marketing efforts focusing on areas of high unemployment or poverty.

(D) Provide the Department with advice on strategic business development and business marketing for the State of Illinois.

(E) Provide the Department research and recommend best practices for developing investment tools for business attraction and retention.

Section 25. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-376 as follows:

(20 ILCS 2310/2310-376)
Sec. 2310-376. Hepatitis education and outreach.
(a) The Illinois General Assembly finds and declares the following:
(1) The World Health Organization characterizes hepatitis as a disease of primary concern to humanity.
(2) Hepatitis is considered a silent killer; no recognizable signs or symptoms occur until severe liver damage has occurred.
(3) Studies indicate that nearly 4 million Americans (1.8 percent of the population) carry the virus HCV that causes the disease.
(4) 30,000 acute new infections occur each year in the United States, and only 25 to 30 percent are diagnosed.

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

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

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

(8) Illinois members of the armed services are subject to an increased risk of contracting hepatitis due to their possible receipt of contaminated blood during a transfusion occurring for the treatment of wounds and due to their service in areas of the World where the disease is more prevalent and healthcare is less capable of detecting and treating the disease. Many of these service members are unaware of the danger of hepatitis and their increased risk of contracting the disease.

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

(c) Subject to appropriation, in addition to the education and outreach campaign provided in subsection (b), the Department shall develop and make available to physicians,
other health care providers, members of the armed services, and other persons subject to an increased risk of contracting hepatitis, educational materials, in written and electronic forms, on the diagnosis, treatment, and prevention of the disease. These materials shall include the recommendations of the federal Centers for Disease Control and Prevention and any other persons or entities determined by the Department to have particular expertise on hepatitis, including the American Liver Foundation. These materials shall be written in terms that are understandable by members of the general public.

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

(1) The Department of Public Health.
(2) The Department of Public Aid.
(3) The Department of Corrections.
(4) The Department of Veterans’ Affairs.
(5) The Department on Aging.
(6) The Department of Human Services.
(7) The Department of State Police.
(8) The office of the State Fire Marshal.

The Director shall appoint representatives of
organizations and advocates in the State of Illinois, including, but not limited to, the American Liver Foundation. The Director shall also appoint interested members of the public, including consumers and providers of health services and representatives of local public health agencies, to provide recommendations and information to the members of the Advisory Council. Members of the Advisory Council shall serve on a voluntary, unpaid basis and are not entitled to reimbursement for mileage or other costs they incur in connection with performing their duties.

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

(20 ILCS 2310/2310-76 rep.)
(20 ILCS 2310/2310-77 rep.)
(20 ILCS 2310/2310-349 rep.)
(20 ILCS 2310/2310-560 rep.)

Section 30. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by repealing Sections 2310-76, 2310-77, 2310-349, and 2310-560.

Section 35. The Comprehensive Healthcare Workforce Planning Act is amended by changing Sections 5, 10, and 20 as follows:

(20 ILCS 2325/5)
Sec. 5. **Definition Definitions.** As used in this Act, "Council" means the State Healthcare Workforce Council created by this Act. "Department" means the Department of Public Health.

(Source: P.A. 97-424, eff. 7-1-12.)

(20 ILCS 2325/10)

Sec. 10. **Purpose.** Implementation of this Act is entirely subject to the availability and appropriation of funds from federal grant money applied for by the Department of Public Health. The State Healthcare Workforce Council is hereby established to provide an ongoing assessment of healthcare workforce trends, training issues, and financing policies, and to recommend appropriate State government and private sector efforts to address identified needs. The work of the Council shall focus on: healthcare workforce supply and distribution; cultural competence and minority participation in health professions education; primary care training and practice; and data evaluation and analysis. The Council shall work in coordination with the State Health Improvement Plan Implementation Coordination Council to ensure alignment with the State Health Improvement Plan.

(Source: P.A. 97-424, eff. 7-1-12.)

(20 ILCS 2325/20)

Sec. 20. **Five-year comprehensive healthcare workforce**
(a) Every 5 years, the Department, in cooperation with the Council, shall prepare a comprehensive healthcare workforce plan.

(b) The comprehensive healthcare workforce plan shall include, but need not be limited to, the following:

1. 25-year projections of the demand and supply of health professionals to meet the needs of healthcare within the State.

2. The identification of all funding sources for which the State has administrative control that are available for health professions training.

3. Recommendations on how to rationalize and coordinate the State-supported programs for health professions training.

4. Recommendations on actions needed to meet the projected demand for health professionals over the 25 years of the plan.

(c) Each year in which a comprehensive healthcare workforce plan is not due, the Department, on behalf of the Council, shall prepare a report by July 1 of that year to the Governor and the General Assembly on the progress made toward achieving the projected goals of the current comprehensive healthcare workforce plan during the previous calendar year.

(d) The Department shall provide staffing to the Council.

(Source: P.A. 97-424, eff. 7-1-12.)
Section 37. The Comprehensive Healthcare Workforce Planning Act is amended by repealing Sections 15 and 25.


Section 40. The Disabilities Services Act of 2003 is amended by changing Section 53 as follows:

Sec. 53. Rebalancing benchmarks.
(a) Illinois' long-term care system is in a state of transformation, as evidenced by the creation and subsequent work products of the Disability Services Advisory Committee, Older Adult Services Advisory Committee, Housing Task Force and other executive and legislative branch initiatives.
(b) Illinois' Money Follows the Person demonstration approval capitalizes on this progress and commits the State to transition approximately 3,357 older persons and persons with developmental, physical or psychiatric disabilities from institutional to home and community-based settings, resulting in an increased percentage of long-term care community spending
over the next 5 years.

(c) The State will endeavor to increase the percentage of community-based long-term care spending over the next 5 years according to the following timeline:

- Estimated baseline: 28.5%
- Year 1: 30%
- Year 2: 31%
- Year 3: 32%
- Year 4: 35%
- Year 5: 37%

(d) The Departments will utilize interagency agreements and will seek legislative authority to implement a Money Follows the Person budgetary mechanism to allocate or reallocate funds for the purpose of expanding the availability, quality or stability of home and community-based long-term care services and supports for persons with disabilities.

(e) The allocation of public funds for home and community-based long-term care services shall not have the effect of: (i) diminishing or reducing the quality of services available to residents of long-term care facilities; (ii) forcing any residents of long-term care facilities to involuntarily accept home and community-based long-term care services, or causing any residents of long-term care facilities to be involuntarily transferred or discharged; (iii) causing reductions in long-term care facility reimbursement rates in effect as of July 1, 2008; or (iv) diminishing access to a full
array of long-term care options.
(Source: P.A. 95-438, eff. 1-1-08.)

Section 43. The Nuclear Safety Law of 2004 is amended by changing Section 10 as follows:

(20 ILCS 3310/10)
Sec. 10. Nuclear and radioactive materials disposal. The Illinois Emergency Management Agency shall formulate a comprehensive plan regarding disposal of nuclear and radioactive materials in this State. The Illinois Emergency Management Agency shall establish minimum standards for disposal sites, shall evaluate and publicize potential effects on the public health and safety, and shall report to the Governor and General Assembly all violations of the adopted standards. In carrying out this function, the Illinois Emergency Management Agency shall work in cooperation with the Radiation Protection Advisory Council.
(Source: P.A. 93-1029, eff. 8-25-04.)

(20 ILCS 3950/Act rep.)
Section 45. The Governor's Council on Health and Physical Fitness Act is repealed.

(20 ILCS 4024/Act rep.)
Section 50. The Interstate Sex Offender Task Force Act is
repealed.

Section 55. The Equity in Long-term Care Quality Act is amended by changing Section 20 as follows:

(30 ILCS 772/20)

Sec. 20. Award of grants.

(a) Applications for grants must be made in a manner prescribed by the Director of Public Health by rule. Expenditures made in a manner with any grant, and the results therefrom, shall be included (if applicable) in the reports filed by the receiver with the court and shall be reported to the Department in a manner prescribed by rule and by the contract entered into by the grant recipient with the Department. An applicant for a grant shall submit to the Department, and (if applicable) to the court, a specific plan for continuing and increasing adherence to best practices in providing high-quality nursing home care once the grant has ended.

(b) (Blank). The applications must be reviewed and recommended by a commission composed of 5 representatives chosen from recommendations made by organizations representing long-term care facilities in Illinois, a citizen member from AARP, one representative from an advocacy organization for persons with disabilities, one representative from the statewide ombudsman organization, one representative from
academia, one representative from a nursing home residents'
advocacy organization, one representative from an organization
with expertise in improving the access of persons in medically
underserved areas to high-quality medical care, at least 2
experts in accounting or finance, the Director of Public
Health, the Director of Aging, and one representative selected
by the leader of each legislative caucus. With the exception of
legislative members, members shall be appointed by the Director
of Public Health.

(c) The Director shall award grants based on the
recommendations of the commission and after a thorough review
of the compliance history of the applicants.

(Source: P.A. 96-1372, eff. 7-29-10.)

Section 60. The Eliminate the Digital Divide Law is amended
by changing Section 5-30 as follows:

(30 ILCS 780/5-30)

Sec. 5-30. Community Technology Center Grant Program.

(a) Subject to appropriation, the Department shall
administer the Community Technology Center Grant Program under
which the Department shall make grants in accordance with this
Article for planning, establishment, administration, and
expansion of Community Technology Centers and for assisting
public hospitals, libraries, and park districts in eliminating
the digital divide. The purposes of the grants shall include,
but not be limited to, volunteer recruitment and management, training and instruction, infrastructure, and related goods and services, including case management, administration, personal information management, and outcome-tracking tools and software for the purposes of reporting to the Department and for enabling participation in digital government and consumer services programs, for Community Technology Centers and public hospitals, libraries, and park districts. No Community Technology Center may receive a grant of more than $75,000 under this Section in a particular fiscal year.

(b) Public hospitals, libraries, park districts, and State educational agencies, local educational agencies, institutions of higher education, senior citizen homes, and other public and private nonprofit or for-profit agencies and organizations are eligible to receive grants under this Program, provided that a local educational agency or public or private educational agency or organization must, in order to be eligible to receive grants under this Program, provide computer access and educational services using information technology to the public at one or more of its educational buildings or facilities at least 12 hours each week. A group of eligible entities is also eligible to receive a grant if the group follows the procedures for group applications in 34 CFR 75.127-129 of the Education Department General Administrative Regulations.

To be eligible to apply for a grant, a Community Technology
Center must serve a community in which not less than 40% of the students are eligible for a free or reduced price lunch under the national school lunch program or in which not less than 30% of the students are eligible for a free lunch under the national school lunch program; however, if funding is insufficient to approve all grant applications for a particular fiscal year, the Department may impose a higher minimum percentage threshold for that fiscal year. Determinations of communities and determinations of the percentage of students in a community who are eligible for a free or reduced price lunch under the national school lunch program shall be in accordance with rules adopted by the Department.

Any entities that have received a Community Technology Center grant under the federal Community Technology Centers Program are also eligible to apply for grants under this Program.

The Department shall provide assistance to Community Technology Centers in making those determinations for purposes of applying for grants.

The Department shall encourage Community Technology Centers to participate in public and private computer hardware equipment recycling initiatives that provide computers at reduced or no cost to low-income families, including programs authorized by the State Property Control Act. On an annual basis, the Department must provide the Director of Central Management Services with a list of Community Technology Centers
that have applied to the Department for funding as potential
recipients of surplus State-owned computer hardware equipment
under programs authorized by the State Property Control Act.

(c) Grant applications shall be submitted to the Department
on a schedule of one or more deadlines established by the
Department by rule.

(d) The Department shall adopt rules setting forth the
required form and contents of grant applications.

(e) There is created the Digital Divide Elimination
Advisory Committee. The advisory committee shall consist of 7
members appointed one each by the Governor, the President of
the Senate, the Senate Minority Leader, the Speaker of the
House, and the House Minority Leader, and 2 appointed by the
Director of Commerce and Economic Opportunity, one of whom
shall be a representative of the telecommunications industry
and one of whom shall represent community technology centers.
The members of the advisory committee shall receive no
compensation for their services as members of the advisory
committee but may be reimbursed for their actual expenses
incurred in serving on the advisory committee. The Digital
Divide Elimination Advisory Committee shall advise the
Department in establishing criteria and priorities for
identifying recipients of grants under this Act. The advisory
committee shall obtain advice from the technology industry
regarding current technological standards. The advisory
committee shall seek any available federal funding.
(f) There is created the Digital Divide Elimination Working Group. The Working Group shall consist of the Director of Commerce and Economic Opportunity, or his or her designee, the Director of Central Management Services, or his or her designee, and the Executive Director of the Illinois Commerce Commission, or his or her designee. The Director of Commerce and Economic Opportunity, or his or her designee, shall serve as chair of the Working Group. The Working Group shall consult with the members of the Digital Divide Elimination Advisory Committee and may consult with various groups including, but not limited to, telecommunications providers, telecommunications-related technology producers and service providers, community technology providers, community and consumer organizations, businesses and business organizations, and federal government agencies.

(g) Duties of the Digital Divide Elimination Working Group include all of the following:

(1) Undertaking a thorough review of grant programs available through the federal government, local agencies, telecommunications providers, and business and charitable entities for the purpose of identifying appropriate sources of revenues for the Digital Divide Elimination Fund and attempting to update available grants on a regular basis.

(2) Researching and cataloging programs designed to advance digital literacy and computer access that are
available through the federal government, local agencies, telecommunications providers, and business and charitable entities and attempting to update available programs on a regular basis.

(3) Presenting the information compiled from items (1) and (2) to the Department of Commerce and Economic Opportunity, which shall serve as a single point of contact for applying for funding for the Digital Divide Elimination Fund and for distributing information to the public regarding all programs designed to advance digital literacy and computer access.

(Source: P.A. 94-734, eff. 4-28-06; 95-740, eff. 1-1-09.)

(210 ILCS 25/Art. V rep.)

Section 65. The Illinois Clinical Laboratory and Blood Bank Act is amended by repealing Article V.

Section 70. The Hospital Report Card Act is amended by changing Section 25 as follows:

(210 ILCS 86/25)

Sec. 25. Hospital reports.

(a) Individual hospitals shall prepare a quarterly report including all of the following:

(1) Nursing hours per patient day, average daily census, and average daily hours worked for each clinical
service area.

(2) Infection-related measures for the facility for the specific clinical procedures and devices determined by the Department by rule under 2 or more of the following categories:

(A) Surgical procedure outcome measures.
(B) Surgical procedure infection control process measures.
(C) Outcome or process measures related to ventilator-associated pneumonia.
(D) Central vascular catheter-related bloodstream infection rates in designated critical care units.

(3) Information required under paragraph (4) of Section 2310-312 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

(4) Additional infection measures mandated by the Centers for Medicare and Medicaid Services that are reported by hospitals to the Centers for Disease Control and Prevention's National Healthcare Safety Network surveillance system, or its successor, and deemed relevant to patient safety by the Department.

(5) Each instance of preterm birth and infant mortality within the reporting period, including the racial and ethnic information of the mothers of those infants.

(6) Each instance of maternal mortality within the
reporting period, including the racial and ethnic
information of those mothers.

The infection-related measures developed by the Department shall be based upon measures and methods developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality, the Joint Commission on Accreditation of Healthcare Organizations, or the National Quality Forum. The Department may align the infection-related measures with the measures and methods developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality, the Joint Commission on Accreditation of Healthcare Organizations, and the National Quality Forum by adding reporting measures based on national health care strategies and measures deemed scientifically reliable and valid for public reporting. The Department shall receive approval from the State Board of Health to retire measures deemed no longer scientifically valid or valuable for informing quality improvement or infection prevention efforts. The Department shall notify the Chairs and Minority Spokespersons of the House Human Services Committee and the Senate Public Health Committee of its intent to have the State Board of Health take action to retire measures no later than 7 business days before the meeting of the State Board of Health.

The Department shall include interpretive guidelines for
infection-related indicators and, when available, shall include relevant benchmark information published by national organizations.

The Department shall collect the information reported under paragraphs (5) and (6) and shall use it to illustrate the disparity of those occurrences across different racial and ethnic groups.

(b) Individual hospitals shall prepare annual reports including vacancy and turnover rates for licensed nurses per clinical service area.

(c) None of the information the Department discloses to the public may be made available in any form or fashion unless the information has been reviewed, adjusted, and validated according to the following process:

(1) (Blank). The Department shall organize an advisory committee, including representatives from the Department, public and private hospitals, direct care nursing staff, physicians, academic researchers, consumers, health insurance companies, organized labor, and organizations representing hospitals and physicians. The advisory committee must be meaningfully involved in the development of all aspects of the Department's methodology for collecting, analyzing, and disclosing the information collected under this Act, including collection methods, formatting, and methods and means for release and dissemination.
(2) The entire methodology for collecting and analyzing the data shall be disclosed to all relevant organizations and to all hospitals that are the subject of any information to be made available to the public before any public disclosure of such information.

(3) Data collection and analytical methodologies shall be used that meet accepted standards of validity and reliability before any information is made available to the public.

(4) The limitations of the data sources and analytic methodologies used to develop comparative hospital information shall be clearly identified and acknowledged, including but not limited to the appropriate and inappropriate uses of the data.

(5) To the greatest extent possible, comparative hospital information initiatives shall use standard-based norms derived from widely accepted provider-developed practice guidelines.

(6) Comparative hospital information and other information that the Department has compiled regarding hospitals shall be shared with the hospitals under review prior to public dissemination of such information and these hospitals have 30 days to make corrections and to add helpful explanatory comments about the information before the publication.

(7) Comparisons among hospitals shall adjust for
patient case mix and other relevant risk factors and
control for provider peer groups, when appropriate.

(8) Effective safeguards to protect against the
unauthorized use or disclosure of hospital information
shall be developed and implemented.

(9) Effective safeguards to protect against the
dissemination of inconsistent, incomplete, invalid,
inaccurate, or subjective hospital data shall be developed
and implemented.

(10) The quality and accuracy of hospital information
reported under this Act and its data collection, analysis,
and dissemination methodologies shall be evaluated
regularly.

(11) Only the most basic identifying information from
mandatory reports shall be used, and information
identifying a patient, employee, or licensed professional
shall not be released. None of the information the
Department discloses to the public under this Act may be
used to establish a standard of care in a private civil
action.

(d) Quarterly reports shall be submitted, in a format set
forth in rules adopted by the Department, to the Department by
April 30, July 31, October 31, and January 31 each year for the
previous quarter. Data in quarterly reports must cover a period
ending not earlier than one month prior to submission of the
report. Annual reports shall be submitted by December 31 in a
format set forth in rules adopted by the Department to the
Department. All reports shall be made available to the public
on-site and through the Department.

(e) If the hospital is a division or subsidiary of another
entity that owns or operates other hospitals or related
organizations, the annual public disclosure report shall be for
the specific division or subsidiary and not for the other
entity.

(f) The Department shall disclose information under this
Section in accordance with provisions for inspection and
copying of public records required by the Freedom of
Information Act provided that such information satisfies the
provisions of subsection (c) of this Section.

(g) Notwithstanding any other provision of law, under no
circumstances shall the Department disclose information
obtained from a hospital that is confidential under Part 21 of
Article VIII of the Code of Civil Procedure.

(h) No hospital report or Department disclosure may contain
information identifying a patient, employee, or licensed
professional.

(Source: P.A. 101-446, eff. 8-23-19.)

(210 ILCS 110/13A rep.)

Section 75. The Illinois Migrant Labor Camp Law is amended
by repealing Section 13A.
Section 80. The Illinois Athletic Trainers Practice Act is amended by changing Sections 3, 5, 19, 19.5, 21, and 24 as follows:

(225 ILCS 5/3) (from Ch. 111, par. 7603)
Section scheduled to be repealed on January 1, 2026

Sec. 3. Definitions. As used in this Act:

(1) "Department" means the Department of Financial and Professional Regulation.

(2) "Secretary" means the Secretary of Financial and Professional Regulation.

(3) (Blank). "Board" means the Illinois Board of Athletic Trainers appointed by the Secretary.

(4) "Licensed athletic trainer" means a person licensed to practice athletic training as defined in this Act and with the specific qualifications set forth in Section 9 of this Act who, upon the direction of his or her team physician or consulting physician, carries out the practice of prevention/emergency care or physical reconditioning of injuries incurred by athletes participating in an athletic program conducted by an educational institution, professional athletic organization, or sanctioned amateur athletic organization employing the athletic trainer; or a person who, under the direction of a physician, carries out comparable functions for a health organization-based extramural program of athletic training services for athletes. Specific duties of the athletic trainer
include but are not limited to:

A. Supervision of the selection, fitting, and maintenance of protective equipment;

B. Provision of assistance to the coaching staff in the development and implementation of conditioning programs;

C. Counseling of athletes on nutrition and hygiene;

D. Supervision of athletic training facility and inspection of playing facilities;

E. Selection and maintenance of athletic training equipment and supplies;

F. Instruction and supervision of student trainer staff;

G. Coordination with a team physician to provide:
   (i) pre-competition physical exam and health history updates,
   (ii) game coverage or phone access to a physician or paramedic,
   (iii) follow-up injury care,
   (iv) reconditioning programs, and
   (v) assistance on all matters pertaining to the health and well-being of athletes.

H. Provision of on-site injury care and evaluation as well as appropriate transportation, follow-up treatment and rehabilitation as necessary for all injuries sustained by athletes in the program;

I. With a physician, determination of when an athlete
may safely return to full participation post-injury; and
J. Maintenance of complete and accurate records of all
athletic injuries and treatments rendered.
To carry out these functions the athletic trainer is
authorized to utilize modalities, including, but not limited
to, heat, light, sound, cold, electricity, exercise, or
mechanical devices related to care and reconditioning.
(5) "Referral" means the guidance and direction given by
the physician, who shall maintain supervision of the athlete.
(6) "Athletic trainer aide" means a person who has received
on-the-job training specific to the facility in which he or she
is employed, on either a paid or volunteer basis, but is not
enrolled in an accredited athletic training curriculum.
(7) "Address of record" means the designated address
recorded by the Department in the applicant's or licensee's
application file or license file as maintained by the
Department's licensure maintenance unit. It is the duty of the
applicant or licensee to inform the Department of any change of
address, and those changes must be made either through the
Department's website or by contacting the Department.
(8) "Board of Certification" means the Board of
Certification for the Athletic Trainer.
(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/5) (from Ch. 111, par. 7605)
(Section scheduled to be repealed on January 1, 2026)
Sec. 5. Administration of Act; rules and forms.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of Licensure Acts and shall exercise such other powers and duties necessary for effectuating the purposes of this Act.

(b) The Secretary may promulgate rules consistent with the provisions of this Act for the administration and enforcement thereof, and for the payment of fees connected therewith, and may prescribe forms which shall be issued in connection therewith. The rules may include standards and criteria for licensure, certification, and professional conduct and discipline. The Department may consult with the Board in promulgating rules.

(c) The Department may at any time seek the advice and the expert knowledge of the Board on any matter relating to the administration of this Act.

(d) (Blank).

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/19) (from Ch. 111, par. 7619)

(Section scheduled to be repealed on January 1, 2026)

Sec. 19. Record of proceedings. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint and all other documents in the nature of pleadings and written
motions filed in the proceedings, the transcript of testimony, the report of the Board and order of the Department shall be the record of such proceeding. Any licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/19.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 19.5. Subpoenas; oaths. The Department may subpoena and bring before it any person and may take the oral or written testimony of any person or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to an investigation or hearing conducted by the Department with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, the designated hearing officer, any member
of the Board, or a certified shorthand court reporter may administer oaths at any hearing which the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony or production of documents or records shall be in accordance with this Act.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/24) (from Ch. 111, par. 7624)
(Section scheduled to be repealed on January 1, 2026)

Sec. 24. Hearing officer appointment. The Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license, or for the taking of disciplinary action against a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board and the Secretary. The Board shall have 90 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law and recommendation to the Secretary. The Board fails to present its report within the 90 day period, the Secretary may issue an order based on the report of the hearing officer. If the Secretary determines that the Board's report is contrary to the manifest weight of the evidence, he or she may issue an order in contravention of the Board's report.
Section 85. The Illinois Athletic Trainers Practice Act is amended by repealing Sections 6, 21, and 22.

Section 90. The Hearing Instrument Consumer Protection Act is amended by changing Sections 3, 8, 14, 15, 18, 21, 22, 23, 27.1, and 30 as follows:

"Department" means the Department of Public Health.
"Director" means the Director of the Department of Public Health.
"License" means a license issued by the State under this Act to a hearing instrument dispenser.
"Licensed audiologist" means a person licensed as an audiologist under the Illinois Speech-Language Pathology and Audiology Practice Act.
"National Board Certified Hearing Instrument Specialist" means a person who has had at least 2 years in practice as a
licensed hearing instrument dispenser and has been certified after qualification by examination by the National Board for Certification in Hearing Instruments Sciences.

"Licensed physician" or "physician" means a physician licensed in Illinois to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987.

"Trainee" means a person who is licensed to perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State.

"Board" means the Hearing Instrument Consumer Protection Board.

"Hearing instrument" or "hearing aid" means any wearable instrument or device designed for or offered for the purpose of aiding or compensating for impaired human hearing and that can provide more than 15 dB full on gain via a 2cc coupler at any single frequency from 200 through 6000 cycles per second, and any parts, attachments, or accessories, including ear molds.

"Hearing instrument" or "hearing aid" do not include batteries, cords, or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services are excluded.

"Practice of fitting, dispensing, or servicing of hearing instruments" means the measurement of human hearing with an audiometer, calibrated to the current American National
Standard Institute standards, for the purpose of making selections, recommendations, adaptions, services, or sales of hearing instruments including the making of earmolds as a part of the hearing instrument.

"Sell" or "sale" means any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or dealers.

"Hearing instrument dispenser" means a person who is a hearing care professional that engages in the selling, practice of fitting, selecting, recommending, dispensing, or servicing of hearing instruments or the testing for means of hearing instrument selection or who advertises or displays a sign or represents himself or herself as a person who practices the testing, fitting, selecting, servicing, dispensing, or selling of hearing instruments.

"Fund" means the Hearing Instrument Dispenser Examining and Disciplinary Fund.

"Hearing care professional" means a person who is a licensed audiologist, a licensed hearing instrument dispenser, or a licensed physician.

(Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

(225 ILCS 50/8) (from Ch. 111, par. 7408)

(Section scheduled to be repealed on January 1, 2026)

Sec. 8. Applicant qualifications; examination.

(a) In order to protect persons who are deaf or hard of
hearing, the Department shall authorize or shall conduct an
appropriate examination, which may be the International
Hearing Society's licensure examination, for persons who
dispense, test, select, recommend, fit, or service hearing
instruments. The frequency of holding these examinations shall
be determined by the Department by rule. Those who successfully
pass such an examination shall be issued a license as a hearing
instrument dispenser, which shall be effective for a 2-year
period.

(b) Applicants shall be:

(1) at least 18 years of age;

(2) of good moral character;

(3) the holder of an associate's degree or the
equivalent;

(4) free of contagious or infectious disease; and

(5) a citizen or person who has the status as a legal
alien.

Felony convictions of the applicant and findings against
the applicant involving matters set forth in Sections 17 and 18
shall be considered in determining moral character, but such a
conviction or finding shall not make an applicant ineligible to
register for examination.

(c) Prior to engaging in the practice of fitting,
dispensing, or servicing hearing instruments, an applicant
shall demonstrate, by means of written and practical
examinations, that such person is qualified to practice the
testing, selecting, recommending, fitting, selling, or servicing of hearing instruments as defined in this Act. An applicant must obtain a license within 12 months after passing either the written or practical examination, whichever is passed first, or must take and pass those examinations again in order to be eligible to receive a license.

The Department shall, by rule, determine the conditions under which an individual is examined.

(d) Proof of having met the minimum requirements of continuing education as determined by the Director Board shall be required of all license renewals. Pursuant to rule, the continuing education requirements may, upon petition to the Director Board, be waived in whole or in part if the hearing instrument dispenser can demonstrate that he or she served in the Coast Guard or Armed Forces, had an extreme hardship, or obtained his or her license by examination or endorsement within the preceding renewal period.

(e) Persons applying for an initial license must demonstrate having earned, at a minimum, an associate degree or its equivalent from an accredited institution of higher education that is recognized by the U.S. Department of Education or that meets the U.S. Department of Education equivalency as determined through a National Association of Credential Evaluation Services (NACES) member, and meet the other requirements of this Section. In addition, the applicant must demonstrate the successful completion of (1) 12 semester
hours or 18 quarter hours of academic undergraduate course work
in an accredited institution consisting of 3 semester hours of
anatomy and physiology of the hearing mechanism, 3 semester
hours of hearing science, 3 semester hours of introduction to
audiology, and 3 semester hours of aural rehabilitation, or the
quarter hour equivalent or (2) an equivalent program as
determined by the Department that is consistent with the scope
of practice of a hearing instrument dispenser as defined in
Section 3 of this Act. Persons licensed before January 1, 2003
who have a valid license on that date may have their license
renewed without meeting the requirements of this subsection.
(Source: P.A. 98-827, eff. 1-1-15; 99-204, eff. 7-30-15;
99-847, eff. 8-19-16.)

(225 ILCS 50/14) (from Ch. 111, par. 7414)
(Section scheduled to be repealed on January 1, 2026)
Sec. 14. Powers and duties of the Department. The powers
and duties of the Department are:
(a) To issue licenses and to administer examinations to
applicants;
(b) To license persons who are qualified to engage in the
testing, recommending, fitting, selling, and dispensing of
hearing instruments;
(c) To provide the equipment and facilities necessary for
the examination;
(d) To issue and to renew licenses;
(e) To suspend or revoke licenses or to take such other disciplinary action as provided in this Act;

(f) (Blank) To consider all recommendations and requests of the Board and to inform it of all actions of the Department insofar as hearing instrument dispensers are concerned, including any instances where the actions of the Department are contrary to the recommendations of the Board;

(g) To promulgate rules necessary to implement this Act;

(h) (Blank); and

(i) To conduct such consumer education programs and awareness programs for persons with a hearing impairment as it deems appropriate may be recommended by the Board.

(Source: P.A. 91-932, eff. 1-1-01.)

(225 ILCS 50/15) (from Ch. 111, par. 7415)

(Section scheduled to be repealed on January 1, 2026)

Sec. 15. Fees.

(a) The examination and licensure fees paid to the Department are not refundable and shall be set forth by administrative rule. The Department may require a fee for the administration of the examination in addition to examination and licensure fees.

(b) The moneys received as fees and fines by the Department under this Act shall be deposited in the Hearing Instrument Dispenser Examining and Disciplinary Fund, which is hereby created as a special fund in the State Treasury, and shall be
used only for the administration and enforcement of this Act, including: (1) costs directly related to licensing of persons under this Act; and (2) by the Board in the exercise of its powers and performance of its duties, and such use shall be made by the Department with full consideration of all recommendations of the Board.

All moneys deposited in the Fund shall be appropriated to the Department for expenses of the Department and the Board in the administration and enforcement of this Act.

Moneys in the Fund may be invested and reinvested, with all earnings deposited in the Fund and used for the purposes set forth in this Act.

Upon the completion of any audit of the Department as prescribed by the Illinois State Auditing Act, which audit shall include an audit of the Fund, the Department shall make a copy of the audit open to inspection by any interested person, which copy shall be submitted to the Department by the Auditor General, in addition to the copies of audit reports required to be submitted to other State officers and agencies by Section 3-14 of the Illinois State Auditing Act.

(Source: P.A. 99-204, eff. 7-30-15.)

(225 ILCS 50/18) (from Ch. 111, par. 7418)

(Section scheduled to be repealed on January 1, 2026)

Sec. 18. Discipline by the Department. The Department may refuse to issue or renew a license or it may revoke, suspend,
place on probation, censure, fine, or reprimand a licensee for any of the following:

(a) Material misstatement in furnishing information to the Department or to any other State or federal agency.

(b) Violations of this Act, or the rules promulgated hereunder.

(c) Conviction of any crime under the laws of the United States or any state or territory thereof which is a felony or misdemeanor, an essential element of dishonesty, or of any crime which is directly related to the practice of the profession.

(d) Making any misrepresentation for the purpose of obtaining a license or renewing a license, including falsification of the continuing education requirement.

(e) Professional incompetence.

(f) Malpractice.

(g) Aiding or assisting another person in violating any provision of this Act or the rules promulgated hereunder.

(h) Failing, within 30 days, to provide in writing information in response to a written request made by the Department.

(i) Engaging in dishonorable, unethical, or unprofessional conduct which is likely to deceive, defraud, or harm the public.

(j) Knowingly employing, directly or indirectly, any suspended or unlicensed person to perform any services
(k) Habitual intoxication or addiction to the use of drugs.

(l) Discipline by another state, the District of Columbia, territory, or a foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(m) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any service not actually rendered. Nothing in this paragraph (m) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (m) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(n) A finding by the Director Board that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(o) Willfully making or filing false records or
(p) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(q) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgment, skill or safety.

(r) Solicitation of services or products by advertising that is false or misleading. An advertisement is false or misleading if it:

(1) contains an intentional misrepresentation of fact;

(2) contains a false statement as to the licensee's professional achievements, education, skills, or qualifications in the hearing instrument dispensing profession;

(3) makes a partial disclosure of a relevant fact, including:

(i) the advertisement of a discounted price of an item without identifying in the advertisement or at the location of the item either the specific product being offered at the discounted price or the usual price of the item; and

(ii) the advertisement of the price of a specifically identified hearing instrument if more
than one hearing instrument appears in the same
advertisement without an accompanying price;

(4) contains a representation that a product
innovation is new when, in fact, the product was first
offered by the manufacturer to the general public in
this State not less than 12 months before the date of
the advertisement;

(5) contains any other representation, statement,
or claim that is inherently misleading or deceptive; or

(6) contains information that the licensee
manufactures hearing instruments at the licensee's
office location unless the following statement
includes a statement disclosing that the instruments
are manufactured by a specified manufacturer and
assembled by the licensee.

(s) Participating in subterfuge or misrepresentation
in the fitting or servicing of a hearing instrument.

(t) (Blank).

(u) Representing that the service of a licensed
physician or other health professional will be used or made
available in the fitting, adjustment, maintenance, or
repair of hearing instruments when that is not true, or
using the words "doctor", "audiologist", "clinic",
"Clinical Audiologist", "Certified Hearing Aid
Audiologist", "State Licensed", "State Certified",
"Hearing Care Professional", "Licensed Hearing Instrument
Dispenser", "Licensed Hearing Aid Dispenser", "Board Certified Hearing Instrument Specialist", "Hearing Instrument Specialist", "Licensed Audiologist", or any other term, abbreviation, or symbol which would give the impression that service is being provided by persons who are licensed or awarded a degree or title, or that the person's service who is holding the license has been recommended by a governmental agency or health provider, when such is not the case.

(v) Advertising a manufacturer's product or using a manufacturer's name or trademark implying a relationship which does not exist.

(w) Directly or indirectly giving or offering anything of value to any person who advises another in a professional capacity, as an inducement to influence the purchase of a product sold or offered for sale by a hearing instrument dispenser or influencing persons to refrain from dealing in the products of competitors.

(x) Conducting business while suffering from a contagious disease.

(y) Engaging in the fitting or sale of hearing instruments under a name with fraudulent intent.

(z) Dispensing a hearing instrument to a person who has not been given tests utilizing appropriate established procedures and instrumentation in the fitting of hearing instruments, except where there is the replacement of a
hearing instrument, of the same make and model within one year of the dispensing of the original hearing instrument.

(aa) Unavailability or unwillingness to adequately provide for service or repair of hearing instruments fitted and sold by the dispenser.

(bb) Violating the regulations of the Federal Food and Drug Administration or the Federal Trade Commission as they affect hearing instruments.

(cc) Violating any provision of the Consumer Fraud and Deceptive Business Practices Act.

(dd) Violating the Health Care Worker Self-Referral Act.

The Department, with the approval of the Board, may impose a fine not to exceed $1,000 plus costs for the first violation and not to exceed $5,000 plus costs for each subsequent violation of this Act, and the rules promulgated hereunder, on any person or entity described in this Act. Such fine may be imposed as an alternative to any other disciplinary measure, except for probation. The imposition by the Department of a fine for any violation does not bar the violation from being alleged in subsequent disciplinary proceedings. Such fines shall be deposited in the Fund.

(Source: P.A. 100-201, eff. 8-18-17.)

(225 ILCS 50/21) (from Ch. 111, par. 7421)

(Section scheduled to be repealed on January 1, 2026)
Sec. 21. The Department may investigate the actions of any applicant, corporation, partnership, trust, association or other entity, or any person holding or claiming to hold a license. The Department shall, before refusing to issue a license or disciplining a registrant or a corporation, partnership, trust, association or other entity, notify, in writing, at least 10 days prior to the date set for the hearing, the applicant for, or holder of, a license, or corporation, partnership, trust, association or other entity. The notification shall set forth the charges against the person, corporation, partnership, trust, association, or other entity which form the basis for the refusal to issue a license or the disciplinary action taken. If the person, corporation, partnership, trust, association, or other entity desires to contest any Department action under this Section he, she or the corporation, partnership, trust, association, or other entity shall send a written request for a hearing to the Department within 10 days of receipt of notice of the Department's action. If timely requested by the person or the corporation, partnership, trust, association, or other entity, the date of the hearing shall be set by the Department. The hearing shall determine whether the applicant or licensee is entitled to hold such license, and shall afford such person an opportunity to be heard in person or by counsel. A hearing shall also determine whether a corporation, partnership, trust, association, or other entity is subject to disciplinary action, and shall
afford such entities an opportunity to be heard by their
development or by counsel. Such written notice may be served
by certified or registered mail to the respondent at its last
known address. Upon receipt of a request in writing for a
hearing, a duly qualified employee of the Department designated
in writing by the Director and approved by the Board as a
hearing officer shall conduct a hearing to review the decision.
Notice of the time and place of the hearing shall be given to
the person or corporation, partnership, trust, association, or
other entity at least 10 days prior to the date set for the
hearing. At the time and place fixed in the notice, the hearing
officer shall hear the charges and the parties shall be
accorded opportunity to present such statements, testimony and
evidence as may be pertinent to the charges or defenses. The
hearing officer may continue such hearing from time to time.
Pursuant to rule, the Director may conduct informal hearings,
and shall so inform the Board. The Director, Board or hearing
officer may compel, by subpoena, the attendance and testimony
of witnesses and the production of books and papers and may
administer oaths.

(Source: P.A. 86-800.)

(225 ILCS 50/22) (from Ch. 111, par. 7422)
(Section scheduled to be repealed on January 1, 2026)

Sec. 22. Findings and recommendations to of the Director
Board. At the conclusion of the hearing, the hearing officer
shall make findings of fact in such hearing to the Director Board. The Director Board shall review the findings of fact and present to the Director a written report of its finding and recommendation as to whether or not the accused person violated this Act or failed to comply with the conditions required in this Act or any rule promulgated under this Act. The Director Board shall specify the nature of the violation or failure to comply and shall make its recommendations to the Director.

The report of findings and recommendation of the hearing officer Board shall be the basis for the Department's action with respect to licensees or the imposition of any disciplinary action unless the Director determines that the report and recommendation is contrary to the manifest weight of the evidence, in which case the Director may issue an order in contravention of the report and recommendation. The findings are not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for violating this Act.

(Source: P.A. 89-72, eff. 12-31-95.)

(225 ILCS 50/23) (from Ch. 111, par. 7423)

(Section scheduled to be repealed on January 1, 2026)

Sec. 23. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue a license or to discipline a
licensee. The notice of hearing, the complaint and all other
documents in the nature of pleadings and written motions filed
in the proceedings, the transcript of testimony, the report of
the Board and the orders of the Department shall be the record
of such proceeding.

In any case involving the refusal to issue a license or to
discipline a licensee, a copy of the hearing officer's Board's
report shall be served upon the respondent by the Department,
as provided in this Act for the service of the notice of
hearing. Within 20 days after such service, the respondent may
present to the Department a motion in writing for a rehearing,
which motion shall specify the particular grounds therefor. If
no motion for rehearing is filed, then upon the expiration of
the time specified for filing such a motion, or if a motion for
rehearing is denied, then upon such denial, the Director may
enter an order in accordance with recommendations of the
hearing officer Board. If the respondent orders and pays for a
transcript of the record within the time for filing a motion
for rehearing, the 20-day period within which such a motion may
be filed shall commence upon the delivery of the transcript to
the respondent.

Whenever the Director is satisfied that substantial
justice has not been done either in an examination or in the
revocation, suspension or refusal to issue a license, the
Director may order a re-examination or rehearing.

(Source: P.A. 86-800.)
Sec. 27.1. Notwithstanding the provisions of Section 21 of this Act, the Director shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as hearing officer in any action for refusal to issue or renew a license, or discipline of an applicant or licensee regulated by this Act. The Director shall notify the Board of any such appointment. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his findings of fact, conclusions of law and recommendations to the Board and the Director. Within 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law and recommendations to the Director. If the Board fails to present its report within the 60-day period, the Director shall issue an order based on the report of the hearing officer. If the Director disagrees in any regard with the report of the hearing officer, the Director may issue an order in contravention thereof. The Director shall provide a written explanation to the Board on any such deviation, and shall specify with particularity the reasons for such action in the final order. Members of the Board may be present at all formal hearings brought under the provisions of this Act.
Sec. 30. The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the "Mental Health and Developmental Disabilities Code", approved September 5, 1978, as amended, operates as an automatic suspension of his license. Such suspension will end upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the court issues an order so finding and discharging the patient and upon the recommendation of the hearing officer Board to the Director that the licensee be allowed to resume his practice.

(Source: P.A. 86-800.)

(225 ILCS 50/16 rep.)

Section 95. The Hearing Instrument Consumer Protection Act is amended by repealing Sections 16 and 17.

(405 ILCS 90/35)
Sec. 35. Pilot project; task force. (a) The Department of Human Services and the Department of Public Health shall initially implement this Act as a 2-year pilot project in which only the following health care workplaces shall participate:

(1) The Chester Mental Health Center.
(2) The Alton Mental Health Center.
(3) The Douglas Singer Mental Health Center.
(4) The Andrew McFarland Mental Health Center.
(5) The Jacksonville Developmental Center.

Each health care workplace participating in the pilot project shall comply with this Act as provided in this Act.

(b) The Governor shall convene a 11-member task force consisting of the following: one member appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of House of Representatives; one member appointed by the Minority Leader of the House of Representatives; one representative from a statewide association representing licensed registered professional nurses; one licensed registered professional nurse involved in direct patient care, appointed by the Governor; one representative of an organization representing State, county, and municipal employees, appointed by the Governor; one representative of an organization representing public employees, appointed by the Governor; and 3 representatives of the Department of Human Services, with one representative from the Division of Mental Health, one
representative from the Division of Developmental Disabilities, and one representative from the Division of Rehabilitation Services of the Department of Human Services. The task force shall submit a report to the Illinois General Assembly by January 1, 2008 that shall (i) evaluate the effectiveness of the health care workplace violence prevention pilot project in the facilities participating in the pilot project and (ii) make recommendations concerning the implementation of workplace violence prevention programs in all health care workplaces.

(e) The Department of Human Services shall provide all necessary administrative support to the task force.

(Source: P.A. 94-347, eff. 7-28-05; 94-1012, eff. 7-7-06.)

Section 105. The Stem Cell Research and Human Cloning Prohibition Act is amended by changing Sections 10, 25, and 30 as follows:

(410 ILCS 110/10)

Sec. 10. Definitions. As used in this Act:

"Department" means the Department of Public Health.

"Institute" means the Illinois Regenerative Medicine Institute.

"Committee" means the Illinois Regenerative Medicine Institute Oversight Committee.

(Source: P.A. 95-519, eff. 1-1-08.)
Sec. 25. Conflict of interest.

(a) (Blank) A person has a conflict of interest if any Committee action with respect to a matter may directly or indirectly financially benefit any of the following:

(1) That person.

(2) That person's spouse, immediate family living with that person, or that person's extended family.

(3) Any individual or entity required to be disclosed by that person.

(4) Any other individual or entity with which that person has a business or professional relationship.

(b) (Blank) A Committee member who has a conflict of interest with respect to a matter may not discuss that matter with other Committee members and shall not vote upon or otherwise participate in any Committee action with respect to that matter. Each recusal occurring during a Committee meeting shall be made a part of the minutes or recording of the meeting in accordance with the Open Meetings Act.

(c) A member of a scientific peer review panel or any other advisory committee that may be established by the Department who has a conflict of interest with respect to a matter may not discuss that matter with other peer review panel or advisory committee members or with Committee members and shall not vote or otherwise participate in any peer review panel or advisory
committee action with respect to that matter. Each recusal of a peer review panel or advisory committee member occurring during a peer review panel or advisory committee meeting shall be made a part of the minutes or recording of the meeting in accordance with the Open Meetings Act.

(d) The Institute shall not allow any Institute employee to participate in the processing of, or to provide any advice concerning, any matter with which the Institute employee has a conflict of interest.

(Source: P.A. 95-519, eff. 1-1-08.)

(410 ILCS 110/30)

Sec. 30. Disclosure of Committee, scientific peer review panel, or advisory committee member income and interests.

(a) Each Committee, scientific peer review panel, and any advisory committee member shall file with the Secretary of State a written disclosure of the following with respect to the member, the member's spouse, and any immediate family living with the member:

(1) Each source of income.

(2) Each entity in which the member, spouse, or immediate family living with the member has an ownership or distributive income share that is not an income source required to be disclosed under item (1) of this subsection (a).

(3) Each entity in or for which the member, spouse, or
immediate family living with the member serves as an executive, officer, director, trustee, or fiduciary.

(4) Each entity with which the member, member's spouse, or immediate family living with the member has a contract for future income.

(b) Each appointed Committee member and each member of a scientific peer review panel and any advisory committee member shall file the disclosure required by subsection (a) of this Section at the time the member is appointed and at the time of any reappointment of that member.

(c) Each Committee member and each member of a scientific peer review panel and any advisory committee member shall file an updated disclosure with the Secretary of State promptly after any change in the items required to be disclosed under this subsection with respect to the member, the member's spouse, or any immediate family living with the member.

(d) The requirements of Section 3A-30 of the Illinois Governmental Ethics Act and any other disclosures required by law apply to this Act.

(e) Filed disclosures shall be public records.

(Source: P.A. 95-519, eff. 1-1-08.)

(410 ILCS 110/20 rep.)

(410 ILCS 110/35 rep.)

Section 110. The Stem Cell Research and Human Cloning Prohibition Act is amended by repealing Sections 20 and 35.
Section 115. The Advisory Board for the Maternal and Child
Health Block Grant Programs Act is repealed.

Section 117. The Prenatal and Newborn Care Act is amended
by repealing Section 7.

Section 120. The African-American HIV/AIDS Response Act is
amended by repealing Section 25.

Section 125. The Epilepsy Disease Assistance Act is amended
by repealing Sections 15 and 20.

Section 130. The Head and Spinal Cord Injury Act is amended
by changing Sections 1 and 3 as follows:

Sec. 1. As used in this Act, unless the context clearly
indicates otherwise:
(a) "Department" means the Department of Public Health.
(b) "Head Injury" means a sudden insult or damage to the
brain or its coverings, not of a degenerative nature, which produces an altered state of consciousness or temporarily or permanently impairs mental, cognitive, behavioral or physical functioning. Cerebral vascular accidents, aneurisms and congenital deficits are excluded from this definition.

(c) "Spinal cord injury" means an injury that occurs as a result of trauma, which involves spinal vertebral fracture, or where the injured person suffers any of the following effects:

(1) effects on the sensory system including numbness, tingling or loss of sensation in the body or in one or more extremities;
(2) effects on the motor system including weakness or paralysis in one or more extremities;
(3) effects on the visceral system including bowel or bladder dysfunction or hypotension.

(d) "Council" means the Advisory Council on Spinal Cord and Head Injuries.

(Source: P.A. 86-510.)

(410 ILCS 515/3) (from Ch. 111 1/2, par. 7853)

Sec. 3. (a) All reports and records made pursuant to this Act and maintained by the Department and other appropriate persons, officials and institutions pursuant to this Act shall be confidential. Information shall not be made available to any individual or institution except to:

(1) appropriate staff of the Department; and
(2) any person engaged in a bona fide research project, with the permission of the Director of Public Health, except that no information identifying the subjects of the reports or the reporters shall be made available to researchers unless the Department requests and receives consent for such release pursuant to the provisions of this Section.

(3) the Council, except that no information identifying the subjects of the reports or the reporters shall be made available to the Council unless consent for release is requested and received pursuant to the provisions of this Section. Only information pertaining to head and spinal cord injuries as defined in Section 1 of this Act shall be released to the Council.

(b) The Department shall not reveal the identity of a patient, physician or hospital, except that the identity of the patient may be released upon written consent of the patient, parent or guardian, the identity of the physician may be released upon written consent of the physician, and the identity of the hospital may be released upon written consent of the hospital.

(c) The Department shall request consent for release from a patient, a physician or hospital only upon a showing by the applicant for such release that obtaining the identities of certain patients, physicians or hospitals is necessary for his bonafide research directly related to the objectives of this Act.
(d) The Department shall at least annually compile a report of the data accumulated through the reporting system established under Section 2 of this Act and shall submit such data relating to spinal cord and head injuries in accordance with confidentiality restrictions established pursuant to this Act to the Council.

(Source: P.A. 86-510.)

(410 ILCS 515/6 rep.)

Section 135. The Head and Spinal Cord Injury Act is amended by repealing Section 6.

Section 140. The Illinois Adverse Health Care Events Reporting Law of 2005 is amended by changing Section 10-45 as follows:

(410 ILCS 522/10-45)

Sec. 10-45. Testing period.

(a) Prior to the testing period in subsection (b), the Department shall adopt rules for implementing this Law in consultation with the Health Care Event Reporting Advisory Committee and individuals who have experience and expertise in devising and implementing adverse health care event or other health care quality reporting systems. The rules shall establish the methodology and format for health care facilities reporting information under this Law to the Department and
shall be finalized before the beginning of the testing period under subsection (b).

(b) The Department shall conduct a testing period of at least 6 months to test the reporting process to identify any problems or deficiencies with the planned reporting process.

(c) None of the information reported and analyzed during the testing period shall be used in any public report under this Law.

(d) The Department must substantially address the problems or deficiencies identified during the testing period before fully implementing the reporting system.

(e) After the testing period, and after any corrections, adjustments, or modifications are finalized, the Department must give at least 30 days written notice to health care facilities prior to full implementation of the reporting system and collection of adverse event data that will be used in public reports.

(f) Following the testing period, 4 calendar quarters of data must be collected prior to the Department's publishing the annual report of adverse events to the public under paragraph (4) of Section 10-35.

(g) The process described in subsections (a) through (e) must be completed by the Department no later than July 1, 2007.

(h) Notwithstanding any other provision of law, the Department may contract with an entity for receiving all adverse health care event reports, root cause analysis
findings, and corrective action plans that must be reported to the Department under this Law and for the compilation of the information and the provision of quarterly and annual reports to the Department describing such information according to the rules adopted by the Department under this Law.

(Source: P.A. 94-242, eff. 7-18-05; 95-331, eff. 8-21-07.)

(410 ILCS 522/10-40 rep.)

Section 145. The Illinois Adverse Health Care Events Reporting Law of 2005 is amended by repealing Section 10-40.

Section 150. The Environmental Protection Act is amended by changing Section 17.7 as follows:

(415 ILCS 5/17.7) (from Ch. 111 1/2, par. 1017.7)

Sec. 17.7. Community water supply testing fee.

(a) The Agency shall collect an annual nonrefundable testing fee from each community water supply for participating in the laboratory fee program for analytical services to determine compliance with contaminant levels specified in State or federal drinking water regulations. A community water supply may commit to participation in the laboratory fee program. If the community water supply makes such a commitment, it shall commit for a period consistent with the participation requirements established by the Agency and the Community Water Supply Testing Council (Council). If a community water supply
elects not to participate, it must annually notify the Agency
in writing of its decision not to participate in the laboratory
fee program.

(b) The Agency shall determine the fee for participating in
the laboratory fee program for analytical services. The Agency
may establish multi-year participation requirements for
community water supplies and establish fees accordingly. The
Agency shall base its annual fee determination upon the actual
and anticipated costs for testing under State and federal
drinking water regulations and the associated administrative
costs of the Agency and the Council.

(c) Community water supplies that choose not to participate
in the laboratory fee program or do not pay the fees shall have
the duty to analyze all drinking water samples as required by
State or federal safe drinking water regulations established
after the federal Safe Drinking Water Act Amendments of 1986.

(d) There is hereby created in the State Treasury an
interest-bearing special fund to be known as the Community
Water Supply Laboratory Fund. All fees collected by the Agency
under this Section shall be deposited into this Fund and shall
be used for no other purpose except those established in this
Section. In addition to any monies appropriated from the
General Revenue Fund, monies in the Fund shall be appropriated
to the Agency in amounts deemed necessary for laboratory
testing of samples from community water supplies, and for the
associated administrative expenses of the Agency and the
(e) The Agency is authorized to adopt reasonable and necessary rules for the administration of this Section. The Agency shall submit the proposed rules for review by the Council before submission of the rulemaking for the First Notice under Section 5-40 of the Illinois Administrative Procedure Act.

(f) The Director shall establish a Community Water Supply Testing Council, consisting of 5 persons who are elected municipal officials, 5 persons representing community water supplies, one person representing the engineering profession, one person representing investor-owned utilities, one person representing the Illinois Association of Environmental Laboratories, and 2 persons representing municipalities and community water supplies on a statewide basis, all appointed by the Director. Beginning in 1994, the Director shall appoint the following to the Council: (i) 2 elected municipal officials, 2 community water supply representatives, and 1 investor-owned utility representative, each for a one-year term; (ii) 2 elected municipal officials and 2 community water supply representatives, each for a 2-year term; and (iii) one elected municipal official, one community water supply representative, one person representing the engineering profession, and 2 persons representing municipalities and community water supplies on a statewide basis, each for a 3-year term. As soon as possible after the effective date of this amendatory Act of
the 92nd General Assembly, the Director shall appoint one person representing the Illinois Association of Environmental Laboratories to a term of 3 years. Thereafter, the Director shall appoint successors in each position to 3 year terms. In case of a vacancy, the Director may appoint a successor to fill the remaining term of the vacancy. Members of the Council shall serve until a successor is appointed by the Director. The Council shall select from its members a chairperson and such other officers as it deems necessary. The Council shall meet at the call of the Director or the Chairperson of the Council. The Agency shall provide the Council with such supporting services as the Director and the Chairperson may designate, and members shall be reimbursed for ordinary and necessary expenses incurred in the performance of their duties. The Council shall have the following duties:

1. To hold regular and special meetings at a time and place designated by the Director or the Chairperson of the Council;
2. To consider appropriate means for long-term financial support of water supply testing, and to make recommendations to the Agency regarding a preferred approach;
3. To review and evaluate the financial implications of current and future federal requirements for monitoring of public water supplies;
4. To review and evaluate management and financial
audit reports related to the testing program, and to make
recommendations regarding the Agency's efforts to
implement the fee system and testing provided for by this
Section;
(5) to require an external audit as may be deemed
necessary by the Council; and
(6) to conduct such other activities as may be deemed
appropriate by the Director.
(Source: P.A. 97-220, eff. 7-28-11.)

(420 ILCS 40/14 rep.)

Section 155. The Radiation Protection Act of 1990 is
amended by repealing Section 14.

(430 ILCS 40/6 rep.)

Section 160. The Illinois Poison Prevention Packaging Act
is amended by repealing Section 6.

Section 999. Effective date. This Act takes effect upon
becoming law.
Statutes amended in order of appearance

5 ILCS 177/10
5 ILCS 177/15 rep.
20 ILCS 605/605-300 was 20 ILCS 605/46.2
20 ILCS 605/605-360 rep.
20 ILCS 605/605-425 rep.
20 ILCS 605/605-1000 rep.
20 ILCS 2310/2310-376
20 ILCS 2310/2310-76 rep.
20 ILCS 2310/2310-77 rep.
20 ILCS 2310/2310-349 rep.
20 ILCS 2310/2310-560 rep.
20 ILCS 2325/5
20 ILCS 2325/10
20 ILCS 2325/20
20 ILCS 2325/15 rep.
20 ILCS 2325/25 rep.
20 ILCS 2407/Art. 2 rep.
20 ILCS 2407/53
20 ILCS 3310/10
20 ILCS 3950/Act rep.
20 ILCS 4024/Act rep.
30 ILCS 772/20
30 ILCS 780/5-30
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