



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5946

by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-25013

from Ch. 34, par. 5-25013

Amends the Counties Code. Provides that a board of health of a county or a multiple-county health department may (currently, shall) establish and carry out programs and services in mental health, including intellectual disabilities and alcoholism and substance abuse, not inconsistent with the regulations of the Department of Human Services.

LRB098 19461 JLK 54629 b

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section  
5 5-25013 as follows:

6 (55 ILCS 5/5-25013) (from Ch. 34, par. 5-25013)

7 Sec. 5-25013. Organization of board; powers and duties.

8 (A) The board of health of each county or multiple-county  
9 health department shall, immediately after appointment, meet  
10 and organize, by the election of one of its number as president  
11 and one as secretary, and either from its number or otherwise,  
12 a treasurer and such other officers as it may deem necessary. A  
13 board of health may make and adopt such rules for its own  
14 guidance and for the government of the health department as may  
15 be deemed necessary to protect and improve public health not  
16 inconsistent with this Division. It shall:

17 1. Hold a meeting prior to the end of each operating  
18 fiscal year, at which meeting officers shall be elected for  
19 the ensuing operating fiscal year;

20 2. Hold meetings at least quarterly;

21 3. Hold special meetings upon a written request signed  
22 by two members and filed with the Secretary or on request  
23 of the medical health officer or public health

1 administrator;

2 4. Provide, equip and maintain suitable offices,  
3 facilities and appliances for the health department;

4 5. Publish annually, within 90 days after the end of  
5 the county's operating fiscal year, in pamphlet form, for  
6 free distribution, an annual report showing the condition  
7 of its trust on the last day of the most recently completed  
8 operating fiscal year, the sums of money received from all  
9 sources, giving the name of any donor, how all moneys have  
10 been expended and for what purpose, and such other  
11 statistics and information in regard to the work of the  
12 health department as it may deem of general interest;

13 6. Within its jurisdiction, and professional and  
14 technical competence, enforce and observe all State laws  
15 pertaining to the preservation of health, and all county  
16 and municipal ordinances except as otherwise provided in  
17 this Division;

18 7. Within its jurisdiction, and professional and  
19 technical competence, investigate the existence of any  
20 contagious or infectious disease and adopt measures, not  
21 inconsistent with the regulations of the State Department  
22 of Public Health, to arrest the progress of the same;

23 8. Within its jurisdiction, and professional and  
24 technical competence, make all necessary sanitary and  
25 health investigations and inspections;

26 9. Upon request, give professional advice and

1 information to all city, village, incorporated town and  
2 school authorities, within its jurisdiction, in all  
3 matters pertaining to sanitation and public health;

4 10. Appoint a medical health officer as the executive  
5 officer for the department, who shall be a citizen of the  
6 United States and shall possess such qualifications as may  
7 be prescribed by the State Department of Public Health; or  
8 appoint a public health administrator who shall possess  
9 such qualifications as may be prescribed by the State  
10 Department of Public Health as the executive officer for  
11 the department, provided that the board of health shall  
12 make available medical supervision which is considered  
13 adequate by the Director of Public Health;

14 10 1/2. Appoint such professional employees as may be  
15 approved by the executive officer who meet the  
16 qualification requirements of the State Department of  
17 Public Health for their respective positions provided,  
18 that in those health departments temporarily without a  
19 medical health officer or public health administrator  
20 approval by the State Department of Public Health shall  
21 suffice;

22 11. Appoint such other officers and employees as may be  
23 necessary;

24 12. Prescribe the powers and duties of all officers and  
25 employees, fix their compensation, and authorize payment  
26 of the same and all other department expenses from the

1 County Health Fund of the county or counties concerned;

2 13. Submit an annual budget to the county board or  
3 boards;

4 14. Submit an annual report to the county board or  
5 boards, explaining all of its activities and expenditures;

6 15. (Blank) ~~Establish and carry out programs and~~  
7 ~~services in mental health, including intellectual~~  
8 ~~disabilities and alcoholism and substance abuse, not~~  
9 ~~inconsistent with the regulations of the Department of~~  
10 ~~Human Services;~~

11 16. Consult with all other private and public health  
12 agencies in the county in the development of local plans  
13 for the most efficient delivery of health services.

14 (B) The board of health of each county or multiple-county  
15 health department may:

16 1. Initiate and carry out programs and activities of  
17 all kinds, not inconsistent with law, that may be deemed  
18 necessary or desirable in the promotion and protection of  
19 health and in the control of disease including  
20 tuberculosis;

21 2. Receive contributions of real and personal  
22 property;

23 3. Recommend to the county board or boards the adoption  
24 of such ordinances and of such rules and regulations as may  
25 be deemed necessary or desirable for the promotion and  
26 protection of health and control of disease;

1           4. Appoint a medical and dental advisory committee and  
2           a non-medical advisory committee to the health department;

3           5. Enter into contracts with the State,  
4           municipalities, other political subdivisions and  
5           non-official agencies for the purchase, sale or exchange of  
6           health services;

7           6. Set fees it deems reasonable and necessary (i) to  
8           provide services or perform regulatory activities, (ii)  
9           when required by State or federal grant award conditions,  
10          (iii) to support activities delegated to the board of  
11          health by the Illinois Department of Public Health, or (iv)  
12          when required by an agreement between the board of health  
13          and other private or governmental organizations, unless  
14          the fee has been established as a part of a regulatory  
15          ordinance adopted by the county board, in which case the  
16          board of health shall make recommendations to the county  
17          board concerning those fees. Revenue generated under this  
18          Section shall be deposited into the County Health Fund or  
19          to the account of the multiple-county health department.

20          7. Enter into multiple year employment contracts with  
21          the medical health officer or public health administrator  
22          as may be necessary for the recruitment and retention of  
23          personnel and the proper functioning of the health  
24          department; and -

25          8. Establish and carry out programs and services in  
26          mental health, including intellectual disabilities and

1       alcoholism and substance abuse, not inconsistent with the  
2       regulations of the Department of Human Services.

3       (C) The board of health of a multiple-county health  
4       department may hire attorneys to represent and advise the  
5       department concerning matters that are not within the exclusive  
6       jurisdiction of the State's Attorney of one of the counties  
7       that created the department.

8       (Source: P.A. 97-227, eff. 1-1-12.)