



Sen. John G. Mulroe

Filed: 5/9/2016

09900SB0386sam001

LRB099 03124 AWJ 48456 a

1 AMENDMENT TO SENATE BILL 386

2 AMENDMENT NO. _____. Amend Senate Bill 386 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 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:

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

4 2. Hold meetings at least quarterly;

5 3. Hold special meetings upon a written request signed
6 by two members and filed with the Secretary or on request
7 of the medical health officer or public health
8 administrator;

9 4. Provide, equip and maintain suitable offices,
10 facilities and appliances for the health department,
11 including, but not limited to, office equipment, supplies,
12 and other expenses as the board of health finds necessary
13 in the performance of its duties;

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

23 6. Within its jurisdiction, and professional and
24 technical competence, enforce and observe all State laws
25 pertaining to the preservation of health, and all county
26 and municipal ordinances except as otherwise provided in

1 this Division;

2 7. Within its jurisdiction, and professional and
3 technical competence, investigate the existence of any
4 contagious or infectious disease and adopt measures, not
5 inconsistent with the regulations of the State Department
6 of Public Health, to arrest the progress of the same;

7 8. Within its jurisdiction, and professional and
8 technical competence, make all necessary sanitary and
9 health investigations and inspections;

10 9. Upon request, give professional advice and
11 information to all city, village, incorporated town and
12 school authorities, within its jurisdiction, in all
13 matters pertaining to sanitation and public health;

14 10. Appoint a medical health officer as the executive
15 officer for the department, who shall be a citizen of the
16 United States and shall possess such qualifications as may
17 be prescribed by the State Department of Public Health; or
18 appoint a public health administrator who shall possess
19 such qualifications as may be prescribed by the State
20 Department of Public Health as the executive officer for
21 the department, provided that the board of health shall
22 make available medical supervision which is considered
23 adequate by the Director of Public Health;

24 10 1/2. Appoint such professional employees as may be
25 approved by the executive officer who meet the
26 qualification requirements of the State Department of

1 Public Health for their respective positions provided,
2 that in those health departments temporarily without a
3 medical health officer or public health administrator
4 approval by the State Department of Public Health shall
5 suffice;

6 11. Appoint such other officers and employees as may be
7 necessary;

8 12. Prescribe the powers and duties of all officers and
9 employees, fix their compensation, and authorize payment
10 of the same and all other department expenses from the
11 County Health Fund of the county or counties concerned;

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

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

16 15. Establish and carry out programs and services in
17 mental health, including intellectual disabilities and
18 alcoholism and substance abuse, not inconsistent with the
19 regulations of the Department of Human Services;

20 16. Consult with all other private and public health
21 agencies in the county in the development of local plans
22 for the most efficient delivery of health services.

23 (B) The board of health of each county or multiple-county
24 health department may:

25 1. Initiate and carry out programs and activities of
26 all kinds, not inconsistent with law, that may be deemed

1 necessary or desirable in the promotion and protection of
2 health and in the control of disease including
3 tuberculosis;

4 2. Receive contributions of real and personal
5 property;

6 3. Recommend to the county board or boards the adoption
7 of such ordinances and of such rules and regulations as may
8 be deemed necessary or desirable for the promotion and
9 protection of health and control of disease;

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

12 5. Enter into contracts with the State,
13 municipalities, other political subdivisions and
14 non-official agencies for the purchase, sale or exchange of
15 health services or expenses that the board of health finds
16 necessary in the performance of its duties, including, but
17 not limited to, office equipment and supplies;

18 6. Set fees it deems reasonable and necessary (i) to
19 provide services or perform regulatory activities, (ii)
20 when required by State or federal grant award conditions,
21 (iii) to support activities delegated to the board of
22 health by the Illinois Department of Public Health, or (iv)
23 when required by an agreement between the board of health
24 and other private or governmental organizations, unless
25 the fee has been established as a part of a regulatory
26 ordinance adopted by the county board, in which case the

1 board of health shall make recommendations to the county
2 board concerning those fees. Revenue generated under this
3 Section shall be deposited into the County Health Fund or
4 to the account of the multiple-county health department.

5 7. Enter into multiple year employment contracts with
6 the medical health officer or public health administrator
7 as may be necessary for the recruitment and retention of
8 personnel and the proper functioning of the health
9 department.

10 (C) The board of health of a multiple-county health
11 department may hire attorneys to represent and advise the
12 department concerning matters that are not within the exclusive
13 jurisdiction of the State's Attorney of one of the counties
14 that created the department.

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