

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Health Facilities Planning Act is
5 amended by changing Section 4 as follows:

6 (20 ILCS 3960/4) (from Ch. 111 1/2, par. 1154)

7 (Section scheduled to be repealed on December 31, 2029)

8 Sec. 4. Health Facilities and Services Review Board;
9 membership; appointment; term; compensation; quorum.

10 (a) There is created the Health Facilities and Services
11 Review Board, which shall perform the functions described in
12 this Act. The Department shall provide operational support to
13 the Board as necessary, including the provision of office
14 space, supplies, and clerical, financial, and accounting
15 services. The Board may contract for functions or operational
16 support as needed. The Board may also contract with experts
17 related to specific health services or facilities and create
18 technical advisory panels to assist in the development of
19 criteria, standards, and procedures used in the evaluation of
20 applications for permit and exemption.

21 (b) The State Board shall consist of 11 voting members.
22 All members shall be residents of Illinois and at least 4 shall
23 reside outside the Chicago Metropolitan Statistical Area.

1 Consideration shall be given to potential appointees who
2 reflect the ethnic and cultural diversity of the State.
3 Neither Board members nor Board staff shall be convicted
4 felons or have pled guilty to a felony.

5 Each member shall have a reasonable knowledge of the
6 practice, procedures and principles of the health care
7 delivery system in Illinois, including at least 5 members who
8 shall be knowledgeable about health care delivery systems,
9 health systems planning, finance, or the management of health
10 care facilities currently regulated under the Act. One member
11 shall be a representative of a non-profit health care consumer
12 advocacy organization. One member shall be a representative
13 from the community with experience on the effects of
14 discontinuing health care services or the closure of health
15 care facilities on the surrounding community; provided,
16 however, that all other members of the Board shall be
17 appointed before this member shall be appointed. A spouse,
18 parent, sibling, or child of a Board member cannot be an
19 employee, agent, or under contract with services or facilities
20 subject to the Act. Prior to appointment and in the course of
21 service on the Board, members of the Board shall disclose the
22 employment or other financial interest of any other relative
23 of the member, if known, in service or facilities subject to
24 the Act. Members of the Board shall declare any conflict of
25 interest that may exist with respect to the status of those
26 relatives and recuse themselves from voting on any issue for

1 which a conflict of interest is declared. No person shall be
2 appointed or continue to serve as a member of the State Board
3 who is, or whose spouse, parent, sibling, or child is, a member
4 of the Board of Directors of, has a financial interest in, or
5 has a business relationship with a health care facility.

6 Notwithstanding any provision of this Section to the
7 contrary, the term of office of each member of the State Board
8 serving on the day before the effective date of this
9 amendatory Act of the 96th General Assembly is abolished on
10 the date upon which members of the Board, as established by
11 this amendatory Act of the 96th General Assembly, have been
12 appointed and can begin to take action as a Board.

13 (c) The State Board shall be appointed by the Governor,
14 with the advice and consent of the Senate. Not more than 6 of
15 the appointments shall be of the same political party at the
16 time of the appointment.

17 The Secretary of Human Services, the Director of
18 Healthcare and Family Services, and the Director of Public
19 Health, or their designated representatives, shall serve as
20 ex-officio, non-voting members of the State Board.

21 (d) Of those members initially appointed by the Governor
22 following the effective date of this amendatory Act of the
23 96th General Assembly, 3 shall serve for terms expiring July
24 1, 2011, 3 shall serve for terms expiring July 1, 2012, and 3
25 shall serve for terms expiring July 1, 2013. Thereafter, each
26 appointed member shall hold office for a term of 3 years,

1 provided that any member appointed to fill a vacancy occurring
2 prior to the expiration of the term for which his or her
3 predecessor was appointed shall be appointed for the remainder
4 of such term and the term of office of each successor shall
5 commence on July 1 of the year in which his predecessor's term
6 expires. Each member shall hold office until his or her
7 successor is appointed and qualified. The Governor may
8 reappoint a member for additional terms, but no member shall
9 serve more than 3 terms, subject to review and re-approval
10 every 3 years.

11 (e) State Board members, while serving on business of the
12 State Board, shall receive actual and necessary travel and
13 subsistence expenses while so serving away from their places
14 of residence. State Board members may opt in to receive a
15 stipend of \$250 and the State Board chair may opt in to receive
16 a stipend of \$400 for each Board meeting that they attend.

17 Until March 1, 2010, a member of the State Board who
18 experiences a significant financial hardship due to the loss
19 of income on days of attendance at meetings or while otherwise
20 engaged in the business of the State Board may be paid a
21 hardship allowance, as determined by and subject to the
22 approval of the Governor's Travel Control Board.

23 (f) The Governor shall designate one of the members to
24 serve as the Chairman of the Board, who shall be a person with
25 expertise in health care delivery system planning, finance or
26 management of health care facilities that are regulated under

1 the Act. The Chairman shall annually review Board member
2 performance and shall report the attendance record of each
3 Board member to the General Assembly.

4 (g) The State Board, through the Chairman, shall prepare a
5 separate and distinct budget approved by the General Assembly
6 and shall hire and supervise its own professional staff
7 responsible for carrying out the responsibilities of the
8 Board.

9 (h) The State Board shall meet at least every 45 days, or
10 as often as the Chairman of the State Board deems necessary, or
11 upon the request of a majority of the members.

12 (i) Six members of the State Board shall constitute a
13 quorum. The affirmative vote of 6 of the members of the State
14 Board shall be necessary for any action requiring a vote to be
15 taken by the State Board. A vacancy in the membership of the
16 State Board shall not impair the right of a quorum to exercise
17 all the rights and perform all the duties of the State Board as
18 provided by this Act.

19 (j) A State Board member shall disqualify himself or
20 herself from the consideration of any application for a permit
21 or exemption in which the State Board member or the State Board
22 member's spouse, parent, sibling, or child: (i) has an
23 economic interest in the matter; or (ii) is employed by,
24 serves as a consultant for, or is a member of the governing
25 board of the applicant or a party opposing the application.

26 (k) The Chairman, Board members, and Board staff must

1 comply with the Illinois Governmental Ethics Act.

2 (Source: P.A. 102-4, eff. 4-27-21.)

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