



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2133

Introduced 2/26/2021, by Sen. Mike Simmons

#### SYNOPSIS AS INTRODUCED:

10100HB2170enr, Sec. 20-15  
110 ILCS 330/8.5 new  
210 ILCS 85/6.28 new

If and only if House Bill 2170 of the 101st General Assembly becomes law, amends the Data Governance and Organization to Support Equity and Racial Justice Act to include, in addition to race and ethnicity, the demographic categories of age, sex, disability status, sexual orientation, and gender identity to the categories of data that must be reported. Amends the University of Illinois Hospital Act and the Hospital Licensing Act to require a hospital to report to the Department of Public Health certain demographic data for individuals who have the symptoms of or a potential exposure to COVID-19 and are released from and not admitted to the hospital and individuals who were tested for COVID-19, who were admitted into the hospital for COVID-19, or who have received a vaccination for COVID-19. Varied effective date.

LRB102 16599 CMG 21996 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning demographic data.

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

4 Section 5. If and only if House Bill 2170 of the 101st  
5 General Assembly becomes law, then the Data Governance and  
6 Organization to Support Equity and Racial Justice Act is  
7 amended by changing Section 20-15 as follows:

8 (10100HB2170enr, Sec. 20-15)

9 Sec. 20-15. Data Governance and Organization to Support  
10 Equity and Racial Justice.

11 (a) On or before July 1, 2022 and each July 1 thereafter,  
12 the Board and the Department shall report statistical data on  
13 the racial, ~~and~~ ethnic, age, sex, disability status, sexual  
14 orientation, and gender identity demographics of program  
15 participants for each major program administered by the Board  
16 or the Department. Except as provided in subsection (b), when  
17 reporting the data required under this Section, the Board or  
18 the Department shall use the same racial and ethnic  
19 classifications for each program, which shall include, but not  
20 be limited to, the following:

21 (1) American Indian and Alaska Native alone.

22 (2) Asian alone.

23 (3) Black or African American alone.

- 1 (4) Hispanic or Latino of any race.
- 2 (5) Native Hawaiian and Other Pacific Islander alone.
- 3 (6) White alone.
- 4 (7) Some other race alone.
- 5 (8) Two or more races.

6 The Board and the Department may further define, by rule,  
7 the racial and ethnic classifications, including, if  
8 necessary, a classification of "No Race Specified".

9 (c) If a program administered by the Board or the  
10 Department is subject to federal reporting requirements that  
11 include the collection and public reporting of statistical  
12 data on the racial and ethnic demographics of program  
13 participants, the Department may maintain the same racial and  
14 ethnic classifications used under the federal requirements if  
15 such classifications differ from the classifications listed in  
16 subsection (a).

17 (d) The Department of Innovation and Technology shall  
18 assist the Board and the Department by establishing common  
19 technological processes and procedures for the Board and the  
20 Department to:

- 21 (1) Catalog data.
- 22 (2) Identify similar fields in datasets.
- 23 (3) Manage data requests.
- 24 (4) Share data.
- 25 (5) Collect data.
- 26 (6) Improve and clean data.

- 1 (7) Match data across the Board and Departments.
- 2 (8) Develop research and analytic agendas.
- 3 (9) Report on program participation disaggregated by  
4 race and ethnicity.
- 5 (10) Evaluate equitable outcomes for underserved  
6 populations in Illinois.
- 7 (11) Define common roles for data management.
- 8 (12) Ensure that all major programs can report  
9 disaggregated data by race, ~~and~~ ethnicity, age, sex,  
10 disability status, sexual orientation, and gender  
11 identity.

12 The Board and the Department shall use the common  
13 technological processes and procedures established by the  
14 Department of Innovation and Technology.

15 (e) If the Board or the Department is unable to begin  
16 reporting the data required by subsection (a) by July 1, 2022,  
17 the Board or the Department shall state the reasons for the  
18 delay under the reporting requirements.

19 (f) By no later than March 31, 2022, the Board and the  
20 Department shall provide a progress report to the General  
21 Assembly to disclose: (i) the programs and datasets that have  
22 been cataloged for which race, ~~and~~ ethnicity, age, sex,  
23 disability status, sexual orientation, and gender identity  
24 have ~~has~~ been standardized; and (ii) to the extent possible,  
25 the datasets and programs that are outstanding for each agency  
26 and the datasets that are planned for the upcoming year. On or

1 before March 31, 2023, and each year thereafter, the Board and  
2 Departments shall provide an updated report to the General  
3 Assembly.

4 (g) By no later than October 31, 2021, the Governor's  
5 Office shall provide a plan to establish processes for input  
6 from the Board and the Department into processes outlined in  
7 subsection (b). The plan shall incorporate ongoing efforts at  
8 data interoperability within the Department and the governance  
9 established to support the P-20 Longitudinal Education Data  
10 System enacted by Public Act 96-107.

11 (h) Nothing in this Section shall be construed to limit  
12 the rights granted to individuals or data sharing protections  
13 established under existing State and federal data privacy and  
14 security laws.

15 (Source: 10100HB2170enr.)

16 Section 10. The University of Illinois Hospital Act is  
17 amended by adding Section 8.5 as follows:

18 (110 ILCS 330/8.5 new)

19 Sec. 8.5. COVID-19 demographic data. The University of  
20 Illinois Hospital shall report to the Department of Public  
21 Health the demographic data on the race, ethnicity, sex,  
22 gender identity, sexual orientation, age, and disability  
23 status of individuals who have the symptoms of or a potential  
24 exposure to COVID-19 and are released from and not admitted to

1 the University of Illinois Hospital. In addition, the  
2 University of Illinois Hospital shall report the demographic  
3 data on the race, ethnicity, sex, gender identity, sexual  
4 orientation, age, and disability status of individuals who  
5 were tested for COVID-19, who were admitted into the hospital  
6 for COVID-19, or who have received a vaccination for COVID-19.

7 Section 15. The Hospital Licensing Act is amended by  
8 adding Section 6.28 as follows:

9 (210 ILCS 85/6.28 new)

10 Sec. 6.28. COVID-19 demographic data. A hospital shall  
11 report to the Department the demographic data on the race,  
12 ethnicity, sex, gender identity, sexual orientation, age, and  
13 disability status of individuals who have the symptoms of or a  
14 potential exposure to COVID-19 and are released from and not  
15 admitted to the hospital. In addition, the hospital shall  
16 report the demographic data on the race, ethnicity, sex,  
17 gender identity, sexual orientation, age, and disability  
18 status of individuals who were tested for COVID-19, who were  
19 admitted into the hospital for COVID-19, or who have received  
20 a vaccination for COVID-19.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law, except that Section 5 takes effect upon becoming  
23 law or on the date House Bill 2170 of the 101st General  
24 Assembly takes effect, whichever is later.