



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2734

Introduced 2/16/2016, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

See Index

Creates the Advisory Board for the Maternal and Child Health Block Grant Programs Act. Establishes the Advisory Board for the Maternal and Child Health Block Grant Programs under the Department of Public Health. Creates the Board. Requires the Board to advise the Director of Public Health and make recommendations to the Department and Governor regarding maternal and child health matters. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Transfers authority over the Title V Maternal and Child Health Services Block Grant, Title X Family Planning Program award, and maternal and child health programs to the Department of Public Health. Transfers all relevant rights and duties, rules and rulemaking powers, personnel, property, records, and revenue allocations to the Department of Public Health. Amends the Illinois Family Case Management Act. Removes references to the Maternal and Child Health Advisory Board. Amends the Hearing Screening for Newborns Act. Changes the short title to the Early Hearing Detection and Intervention Act. Makes changes regarding which hospitals are required to conduct and report infant hearing tests. Requires the Department of Public Health to maintain a registry of cases documenting newborn hearing tests and intervention. Transfers rulemaking power under the Act from the Department of Human Services to the Department of Public Health. Repeals provisions concerning certain hospital reports to the Department and the hearing screening advisory committee. Amends the Prenatal and Newborn Care Act. Repeals a provision requiring the Department of Human Services to consult with the Advisory Board. Amends the Developmental Disability Prevention Act. Authorizes the Department of Public Health to determine funding needs for high-risk pregnancy programs. Effective immediately.

LRB099 20471 MJP 44985 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 1. Short title. This Act may be cited as the
5 Advisory Board for the Maternal and Child Health Block Grant
6 Programs Act.

7 Section 5. Legislative findings and purpose. The General
8 Assembly finds the following:

9 (1) The people of Illinois continue to experience and
10 bear the consequences of unacceptable rates of low birth
11 weight, infant mortality, maternal mortality, child and
12 adolescent health problems, including obesity and teen
13 pregnancy, and disparities among racial and ethnic groups
14 with regard to maternal and child health.

15 (2) The resolution of these challenges requires an
16 approach that considers the health of the entire population
17 and directs resources to high-risk groups based on
18 epidemiological analysis in order to prevent disability,
19 disease, death, or other adverse circumstance, or what may
20 be termed a public health approach.

21 (3) The General Assembly began the transfer of maternal
22 and child health programs from the Department of Human
23 Services to the Department of Public Health through the

1 budget for State fiscal year 2014.

2 Therefore, it is the purpose of the new and amendatory
3 provisions of this Act to complete the transfer of programs and
4 responsibility for direction of Illinois' maternal and child
5 health efforts to the Department of Public Health and to
6 complete the transfer of certain statutory authority and
7 regulations, appropriations, programs, property, and
8 personnel, including the personnel, hardware, and software for
9 principal management information systems, from the Department
10 of Human Services to the Department of Public Health, which has
11 already begun through the budget for State fiscal year 2016.

12 Section 10. Definitions. As used in this Act:

13 "Board" means the Advisory Board for the Maternal and Child
14 Health Block Grant Programs.

15 "Department" means the Department of Public Health.

16 "Director" means the Director of Public Health.

17 Section 15. Advisory Board for the Maternal and Child
18 Health Block Grant Programs.

19 (a) The Advisory Board for the Maternal and Child Health
20 Block Grant Programs is created within the Department to advise
21 the Department on programs and activities related to maternal
22 and child health in the State of Illinois.

23 The Board shall consist of the Director's designee
24 responsible for maternal and child health programs, who shall

1 serve as the Chair of the Board; the Department's Title V
2 administrator, if the Director's designee is not serving in the
3 capacity of Title V Director at the Department; one
4 representative each from the Department of Children and Family
5 Services, the Department of Human Services, and the Department
6 of Healthcare and Family Services, appointed by the Director or
7 Secretary of each Department; the Director of the University of
8 Illinois at Chicago's Division of Specialized Care for
9 Children; 4 members of the General Assembly, one each appointed
10 by the President and Minority Leader of the Senate and the
11 Speaker and Minority Leader of the House of Representatives;
12 and 20 additional members appointed by the Director.

13 Of the members appointed by the Director:

14 (1) Two shall be physicians licensed to practice
15 medicine in all of its branches who currently serve
16 patients enrolled in maternal and child health programs
17 funded by the State of Illinois, one of whom shall be an
18 individual with a specialty in obstetrics and gynecology
19 and one of whom shall be an individual with a specialty in
20 pediatric medicine;

21 (2) Sixteen shall be persons with expertise in one or
22 more of the following areas, with no more than 3 persons
23 from each listed area of expertise and with preference
24 given to the areas of need identified by the most recent
25 State needs assessment: the health of women, infants, young
26 children, school-aged children, adolescents, and children

1 with special health care needs; public health;
2 epidemiology; behavioral health; nursing; social work;
3 substance abuse prevention; juvenile justice; oral health;
4 child development; chronic disease prevention; health
5 promotion; and education; 5 of the 16 members shall
6 represent organizations that provide maternal and child
7 health services with funds from the Department; and

8 (3) either 2 consumers who have received services
9 through a Department-funded maternal and child health
10 program, 2 representatives from advocacy groups that
11 advocate on behalf of such consumers, or one such consumer
12 and one such representative of an advocacy group.

13 Members appointed by the Director shall be selected to
14 represent the racial, ethnic, and geographic diversity of the
15 State's population and shall include representatives of local
16 health departments, other direct service providers, and
17 faculty of the University of Illinois at Chicago School of
18 Public Health Center of Excellence in Maternal and Child
19 Health.

20 Legislative members shall serve during their term of office
21 in the General Assembly. Members appointed by the Director
22 shall serve a term of 4 years or until their successors are
23 appointed.

24 Any member appointed to fill a vacancy occurring prior to
25 the expiration of the term for which his or her predecessor was
26 appointed shall be appointed for the remainder of such term.

1 Members of the Board shall serve without compensation but shall
2 be reimbursed for necessary expenses incurred in the
3 performance of their duties.

4 (b) The Board shall advise the Director on improving the
5 well-being of mothers, fathers, infants, children, families,
6 and adults, considering both physical and social determinants
7 of health, and using a life-span approach to health promotion
8 and disease prevention in the State of Illinois. In addition,
9 the Board shall review and make recommendations to the
10 Department and the Governor in regard to the system for
11 maternal and child health programs, collaboration, and
12 interrelation between and delivery of programs, both within the
13 Department and with related programs in other departments. In
14 performing its duties, the Board may hold hearings throughout
15 the State and advise and receive advice from any local advisory
16 bodies created to address maternal and child health.

17 (c) The Board may offer recommendations and feedback
18 regarding the development of the State's annual Maternal and
19 Child Health Services Block Grant application and report as
20 well as the periodic needs assessment.

21 Section 90. The Department of Public Health Powers and
22 Duties Law of the Civil Administrative Code of Illinois is
23 amended by adding Section 2310-450 as follows:

24 (20 ILCS 2310/2310-450 new)

1 Sec. 2310-450. Office for maternal and child health.

2 (a) The Department shall be responsible for administration
3 of the Maternal and Child Health Services Block Grant
4 authorized by Title V of the federal Social Security Act. The
5 Department shall be responsible for maternal and child health
6 programs and for preparation and submission of the annual
7 application, annual report, and periodic needs assessment
8 required for the receipt of these funds.

9 (b) The Department shall be responsible for the
10 administration of the Family Planning Program award to the
11 State of Illinois from Title X of the federal Public Health
12 Service Act (42 U.S.C. 300).

13 (c) All of the rights, powers, duties, and functions vested
14 by law or that otherwise pertain to the programs and services
15 transferred to the Department by this amendatory Act of the
16 99th General Assembly are transferred to the Department by July
17 1, 2016.

18 (d) The Department may adopt rules necessary to implement
19 this Section. This Section does not affect the legality of any
20 rules that are in force on the effective date of this Section
21 that have been duly adopted by the Department of Human Services
22 in its administration of the Maternal and Child Health Services
23 Block Grant. Those rules shall transfer to the Department and
24 continue in effect until amended or repealed, except that
25 references to a predecessor department shall, in appropriate
26 contexts, be deemed to refer to the successor department under

1 this Section. Any rules proposed prior to the effective date
2 shall also transfer to the Department.

3 (e) Personnel employed by the Department of Human Services'
4 Division of Family and Community Services who are employed in
5 the programs and services transferred by this amendatory Act of
6 the 99th General Assembly, including any nursing or performance
7 management services, are transferred to the Department by July
8 1, 2016.

9 (f) The rights of State employees, the State, and its
10 agencies under the Personnel Code and applicable collective
11 bargaining agreements and retirement plans are not affected by
12 this Section.

13 (g) The Department of Central Management Services shall
14 establish a sufficient number of full-time positions at the
15 Department, based on a review of at least 5 years of the
16 Department of Human Services' official time study records, in
17 order to provide for effective administration of these
18 programs, and, if necessary, effect a corresponding decrease in
19 authorized positions in the Department of Human Services, in
20 order to effect this transfer by July 1, 2016.

21 (h) All books, records, documents, property (real and
22 personal), including office space, unencumbered
23 appropriations, and pending business pertaining to the rights,
24 powers, duties, and functions transferred to the Department
25 under this Section shall be transferred and delivered to the
26 Department by July 1, 2016.

1 (i) All of the general revenue funds, other State funds,
2 and federal funds authorized for use by and for programs and
3 services transferred to the Department by this amendatory Act
4 of the 99th General Assembly shall be transferred and delivered
5 to the Department by July 1, 2016.

6 (j) In the case of books, records, or documents that
7 pertain both to a function transferred to the Department under
8 this Section and to a function retained by a predecessor agency
9 or office, the Director and the Secretary of Human Services
10 shall determine whether the books, records, or documents shall
11 be transferred, copied, or left with the predecessor agency or
12 office; until this determination has been made, the transfer of
13 these materials shall not take effect.

14 (k) In the case of property or an unexpended appropriation
15 that pertains both to a function transferred to the Department
16 under this Section and to a function retained by the Department
17 of Human Services, the Director of Public Health and the
18 Secretary of Human Services shall determine whether the
19 property or unexpended appropriation shall be transferred,
20 divided, or left with the predecessor agency or office; until
21 this determination has been made (and, in the case of an
22 unexpended appropriation, notice of the determination has been
23 filed with the State Comptroller), the transfer shall not take
24 effect.

25 (l) In the case of administrative functions performed by
26 other units within the Department of Human Services and for the

1 allocation of State or federal funds that benefited the
2 programs transferred by this amendatory Act of the 99th General
3 Assembly as well as other divisions within the Department of
4 Human Services, the Director of Public Health and the Secretary
5 of Human Services shall establish interagency agreements to
6 continue these services and distribute these funds after July
7 1, 2016.

8 (410 ILCS 212/20 rep.)

9 (410 ILCS 212/25 rep.)

10 Section 95. The Illinois Family Case Management Act is
11 amended by repealing Sections 20 and 25.

12 Section 100. The Hearing Screening for Newborns Act is
13 amended by changing Sections 1, 5, 15, and 30 as follows:

14 (410 ILCS 213/1)

15 Sec. 1. Short title. This Act may be cited as the Early
16 Hearing Detection and Intervention ~~Hearing Screening for~~
17 ~~Newborns~~ Act.

18 (Source: P.A. 91-67, eff. 7-9-99.)

19 (410 ILCS 213/5)

20 Sec. 5. Mandatory hearing screening. All ~~By December 31,~~
21 ~~2002,~~ all hospitals performing deliveries, including birthing
22 and non-birthing facilities, shall conduct hearing screening

1 of all newborn infants prior to discharge and report hearing
2 screening results, including outpatient testing and follow-up
3 results when available, for each child to the Department of
4 Public Health.

5 (Source: P.A. 91-67, eff. 7-9-99.)

6 (410 ILCS 213/15)

7 Sec. 15. Department of Public Health to maintain registry
8 of cases. The Illinois Department of Public Health shall
9 maintain a registry of cases documenting screening, diagnosis,
10 and intervention of positive hearing screening results,
11 including information needed for the purpose of follow-up
12 services.

13 (Source: P.A. 91-67, eff. 7-9-99.)

14 (410 ILCS 213/30)

15 Sec. 30. Rules. The Department of Public Health ~~Human~~
16 ~~Services~~ shall adopt ~~promulgate~~ rules necessary to implement
17 this Act.

18 (Source: P.A. 91-67, eff. 7-9-99.)

19 (410 ILCS 213/10 rep.)

20 (410 ILCS 213/20 rep.)

21 Section 105. The Hearing Screening for Newborns Act is
22 amended by repealing Sections 10 and 20.

1 (410 ILCS 225/7 rep.)

2 Section 110. The Prenatal and Newborn Care Act is amended
3 by repealing Section 7.

4 Section 115. The Developmental Disability Prevention Act
5 is amended by changing Section 8 as follows:

6 (410 ILCS 250/8) (from Ch. 111 1/2, par. 2108)

7 Sec. 8. The Department of Public Health, in cooperation
8 with the Department of Human Services, shall establish
9 guidelines for the development of areawide or local programs
10 designed to prevent high risk pregnancies through early
11 identification, screening, management, and followup of the
12 childbearing age high risk female. Such programs shall be based
13 on the local assessment typically by schools, health
14 departments, hospitals, perinatal centers, and local medical
15 societies of need and with emphasis on the coordination of
16 existing resources private and public and in conjunction with
17 local health planning agencies. Funding needs for
18 demonstration and continuing programs shall be determined by
19 the Department of Human Services and Department of Public
20 Health under their respective programs and reported to the
21 General Assembly along with the guidelines for such programs.

22 (Source: P.A. 89-507, eff. 7-1-97.)

23 Section 999. Effective date. This Act takes effect upon
24 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 20 ILCS 2310/2310-450 new

5 410 ILCS 212/20 rep.

6 410 ILCS 212/25 rep.

7 410 ILCS 213/1

8 410 ILCS 213/5

9 410 ILCS 213/15

10 410 ILCS 213/30

11 410 ILCS 213/10 rep.

12 410 ILCS 213/20 rep.

13 410 ILCS 225/7 rep.

14 410 ILCS 250/8 from Ch. 111 1/2, par. 2108