

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 Block Grant to the Department of Public Health and to
6 complete the transfer of certain statutory authority and
7 regulations from the Department of Human Services to the
8 Department of Public Health, which has already begun through
9 the budget for State fiscal year 2016.

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

11 "Board" means the Advisory Board for the Maternal and Child
12 Health Block Grant Programs.

13 "Department" means the Department of Public Health.

14 "Director" means the Director of Public Health.

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

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

21 The Board shall consist of the Director's designee
22 responsible for maternal and child health programs, who shall
23 serve as the Chair of the Board; the Department's Title V
24 administrator, if the Director's designee is not serving in the

1 capacity of Title V Director at the Department; one
2 representative each from the Department of Children and Family
3 Services, the Department of Human Services, and the Department
4 of Healthcare and Family Services, appointed by the Director or
5 Secretary of each Department; the Director of the University of
6 Illinois at Chicago's Division of Specialized Care for
7 Children; 4 members of the General Assembly, one each appointed
8 by the President and Minority Leader of the Senate and the
9 Speaker and Minority Leader of the House of Representatives;
10 and 20 additional members appointed by the Director.

11 Of the members appointed by the Director:

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

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

1 substance abuse prevention; juvenile justice; oral health;
2 child development; chronic disease prevention; health
3 promotion; and education; 5 of the 16 members shall
4 represent organizations that provide maternal and child
5 health services with funds from the Department; and

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

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

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

22 Any member appointed to fill a vacancy occurring prior to
23 the expiration of the term for which his or her predecessor was
24 appointed shall be appointed for the remainder of such term.
25 Members of the Board shall serve without compensation but shall
26 be reimbursed for necessary expenses incurred in the

1 performance of their duties.

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

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

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

22 (20 ILCS 2310/2310-450 new)

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

24 (a) The Department shall be responsible for administration

1 of the Maternal and Child Health Services Block Grant
2 authorized by Title V of the federal Social Security Act. The
3 Department shall be responsible for the Maternal and Child
4 Health Block Grant and for preparation and submission of the
5 annual application, annual report, and periodic needs
6 assessment required for the receipt of these funds.

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

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

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

1 (e) The rights of State employees, the State, and its
2 agencies under the Personnel Code and applicable collective
3 bargaining agreements and retirement plans are not affected by
4 this Section.

5 (f) The Department of Central Management Services shall
6 establish a sufficient number of full-time positions at the
7 Department, based on input from the Department of Human
8 Services in order to provide for effective administration of
9 these programs.

10 (g) All books, records, documents, and pending business
11 pertaining to the rights, powers, duties, and functions
12 transferred to the Department under this Section shall be
13 transferred and delivered to the Department by July 1, 2016.

14 (h) In the case of books, records, or documents that
15 pertain both to a function transferred to the Department under
16 this Section and to a function retained by a predecessor agency
17 or office, the Director and the Secretary of Human Services
18 shall determine whether the books, records, or documents shall
19 be transferred, copied, or left with the predecessor agency or
20 office; until this determination has been made, the transfer of
21 these materials shall not take effect.

22 (i) In the case of administrative functions performed by
23 other units within the Department of Human Services and for the
24 allocation of State or federal funds that benefited the
25 programs transferred by this amendatory Act of the 99th General
26 Assembly as well as other divisions within the Department of

1 Human Services, the Director of Public Health and the Secretary
2 of Human Services shall establish interagency agreements to
3 continue these services, as well as cooperation for purposes of
4 federal match and maintenance of effort and distribution of
5 funds after July 1, 2016.

6 (410 ILCS 212/20 rep.)

7 (410 ILCS 212/25 rep.)

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

10 Section 100. The Prenatal and Newborn Care Act is amended
11 by changing Section 7 as follows:

12 (410 ILCS 225/7) (from Ch. 111 1/2, par. 7027)

13 Sec. 7. Advisory board consultation. The Department shall
14 consult with the Maternal and Child Health Advisory Board
15 ~~created~~ under the Advisory Board for the Maternal and Child
16 Health Block Grant Programs Act ~~Illinois Family Case Management~~
17 ~~Act~~ regarding the implementation of this program. In addition,
18 the Board shall advise the Department on the coordination of
19 services provided under this program with services provided
20 under the Illinois Family Case Management Act and the Problem
21 Pregnancy Health Services and Care Act.

22 (Source: P.A. 94-407, eff. 8-2-05.)

1 Section 110. The Developmental Disability Prevention Act
2 is amended by changing Section 8 as follows:

3 (410 ILCS 250/8) (from Ch. 111 1/2, par. 2108)

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

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

20 Section 999. Effective date. This Act takes effect upon
21 becoming law.