



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 2734

2 AMENDMENT NO. _____. Amend Senate Bill 2734 by replacing
3 everything after the enacting clause with the following:

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

1 and directs resources to high-risk groups based on
2 epidemiological analysis in order to prevent disability,
3 disease, death, or other adverse circumstance, or what may
4 be termed a public health approach.

5 (3) The General Assembly began the transfer of maternal
6 and child health programs from the Department of Human
7 Services to the Department of Public Health through the
8 budget for State fiscal year 2014.

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

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

20 "Board" means the Advisory Board for the Maternal and Child
21 Health Block Grant Programs.

22 "Department" means the Department of Public Health.

23 "Director" means the Director of Public Health.

24 Section 15. Advisory Board for the Maternal and Child

1 Health Block Grant Programs.

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

6 The Board shall consist of the Director's designee
7 responsible for maternal and child health programs, who shall
8 serve as the Chair of the Board; the Department's Title V
9 administrator, if the Director's designee is not serving in the
10 capacity of Title V Director at the Department; one
11 representative each from the Department of Children and Family
12 Services, the Department of Human Services, and the Department
13 of Healthcare and Family Services, appointed by the Director or
14 Secretary of each Department; the Director of the University of
15 Illinois at Chicago's Division of Specialized Care for
16 Children; 4 members of the General Assembly, one each appointed
17 by the President and Minority Leader of the Senate and the
18 Speaker and Minority Leader of the House of Representatives;
19 and 20 additional members appointed by the Director.

20 Of the members appointed by the Director:

21 (1) Two shall be physicians licensed to practice
22 medicine in all of its branches who currently serve
23 patients enrolled in maternal and child health programs
24 funded by the State of Illinois, one of whom shall be an
25 individual with a specialty in obstetrics and gynecology
26 and one of whom shall be an individual with a specialty in

1 pediatric medicine;

2 (2) Sixteen shall be persons with expertise in one or
3 more of the following areas, with no more than 3 persons
4 from each listed area of expertise and with preference
5 given to the areas of need identified by the most recent
6 State needs assessment: the health of women, infants, young
7 children, school-aged children, adolescents, and children
8 with special health care needs; public health;
9 epidemiology; behavioral health; nursing; social work;
10 substance abuse prevention; juvenile justice; oral health;
11 child development; chronic disease prevention; health
12 promotion; and education; 5 of the 16 members shall
13 represent organizations that provide maternal and child
14 health services with funds from the Department; and

15 (3) either 2 consumers who have received services
16 through a Department-funded maternal and child health
17 program, 2 representatives from advocacy groups that
18 advocate on behalf of such consumers, or one such consumer
19 and one such representative of an advocacy group.

20 Members appointed by the Director shall be selected to
21 represent the racial, ethnic, and geographic diversity of the
22 State's population and shall include representatives of local
23 health departments, other direct service providers, and
24 faculty of the University of Illinois at Chicago School of
25 Public Health Center of Excellence in Maternal and Child
26 Health.

1 Legislative members shall serve during their term of office
2 in the General Assembly. Members appointed by the Director
3 shall serve a term of 4 years or until their successors are
4 appointed.

5 Any member appointed to fill a vacancy occurring prior to
6 the expiration of the term for which his or her predecessor was
7 appointed shall be appointed for the remainder of such term.
8 Members of the Board shall serve without compensation but shall
9 be reimbursed for necessary expenses incurred in the
10 performance of their duties.

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

24 (c) The Board may offer recommendations and feedback
25 regarding the development of the State's annual Maternal and
26 Child Health Services Block Grant application and report as

1 well as the periodic needs assessment.

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

5 (20 ILCS 2310/2310-450 new)

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

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

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

18 (c) All of the rights, powers, duties, and functions vested
19 by law or that otherwise pertain to the programs and services
20 transferred to the Department by this amendatory Act of the
21 99th General Assembly are transferred to the Department by July
22 1, 2016.

23 (d) The Department may adopt rules necessary to implement
24 this Section. This Section does not affect the legality of any

1 rules that are in force on the effective date of this Section
2 that have been duly adopted by the Department of Human Services
3 in its administration of the Maternal and Child Health Services
4 Block Grant. Those rules shall transfer to the Department and
5 continue in effect until amended or repealed, except that
6 references to a predecessor department shall, in appropriate
7 contexts, be deemed to refer to the successor department under
8 this Section. Any rules proposed prior to the effective date
9 shall also transfer to the Department.

10 (e) Personnel employed by the Department of Human Services'
11 Division of Family and Community Services who are employed in
12 the programs and services transferred by this amendatory Act of
13 the 99th General Assembly, including any nursing or performance
14 management services, are transferred to the Department by July
15 1, 2016.

16 (f) The rights of State employees, the State, and its
17 agencies under the Personnel Code and applicable collective
18 bargaining agreements and retirement plans are not affected by
19 this Section.

20 (g) The Department of Central Management Services shall
21 establish a sufficient number of full-time positions at the
22 Department, based on a review of at least 5 years of the
23 Department of Human Services' official time study records, in
24 order to provide for effective administration of these
25 programs, and, if necessary, effect a corresponding decrease in
26 authorized positions in the Department of Human Services, in

1 order to effect this transfer by July 1, 2016.

2 (h) All books, records, documents, property (real and
3 personal), including office space, unencumbered
4 appropriations, and pending business pertaining to the rights,
5 powers, duties, and functions transferred to the Department
6 under this Section shall be transferred and delivered to the
7 Department by July 1, 2016.

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

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

21 (k) In the case of property or an unexpended appropriation
22 that pertains both to a function transferred to the Department
23 under this Section and to a function retained by the Department
24 of Human Services, the Director of Public Health and the
25 Secretary of Human Services shall determine whether the
26 property or unexpended appropriation shall be transferred,

1 divided, or left with the predecessor agency or office; until
2 this determination has been made (and, in the case of an
3 unexpended appropriation, notice of the determination has been
4 filed with the State Comptroller), the transfer shall not take
5 effect.

6 (1) In the case of administrative functions performed by
7 other units within the Department of Human Services and for the
8 allocation of State or federal funds that benefited the
9 programs transferred by this amendatory Act of the 99th General
10 Assembly as well as other divisions within the Department of
11 Human Services, the Director of Public Health and the Secretary
12 of Human Services shall establish interagency agreements to
13 continue these services and distribute these funds after July
14 1, 2016.

15 (410 ILCS 212/20 rep.)

16 (410 ILCS 212/25 rep.)

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

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

21 (410 ILCS 225/7) (from Ch. 111 1/2, par. 7027)

22 Sec. 7. Advisory board consultation. The Department shall
23 consult with the Maternal and Child Health Advisory Board

1 ~~created~~ under the Advisory Board for the Maternal and Child
2 Health Block Grant Programs Act ~~Illinois Family Case Management~~
3 ~~Act~~ regarding the implementation of this program. In addition,
4 the Board shall advise the Department on the coordination of
5 services provided under this program with services provided
6 under the Illinois Family Case Management Act and the Problem
7 Pregnancy Health Services and Care Act.

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

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

11 (410 ILCS 250/8) (from Ch. 111 1/2, par. 2108)

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

1 Health under their respective programs and reported to the
2 General Assembly along with the guidelines for such programs.
3 (Source: P.A. 89-507, eff. 7-1-97.)

4 Section 999. Effective date. This Act takes effect upon
5 becoming law."