

1 AN ACT in relation to public health.

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

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by changing Section 2310-315 as follows:

7 (20 ILCS 2310/2310-315) (was 20 ILCS 2310/55.41)

8 (Text of Section before amendment by P.A. 92-84)

9 Sec. 2310-315. Prevention and treatment of AIDS. To  
10 perform the following in relation to the prevention and  
11 treatment of acquired immunodeficiency syndrome (AIDS):

12 (1) Establish a State AIDS Control Unit within the  
13 Department as a separate administrative subdivision, to  
14 coordinate all State programs and services relating to the  
15 prevention, treatment, and amelioration of AIDS.

16 (2) Conduct a public information campaign for  
17 physicians, hospitals, health facilities, public health  
18 departments, law enforcement personnel, public employees,  
19 laboratories, and the general public on acquired  
20 immunodeficiency syndrome (AIDS) and promote necessary  
21 measures to reduce the incidence of AIDS and the mortality  
22 from AIDS. This program shall include, but not be limited to,  
23 the establishment of a statewide hotline and a State AIDS  
24 information clearinghouse that will provide periodic reports  
25 and releases to public officials, health professionals,  
26 community service organizations, and the general public  
27 regarding new developments or procedures concerning  
28 prevention and treatment of AIDS.

29 (3) (Blank). Establish---an---AIDS---Advisory---Council  
30 consisting-of-25-persons-appointed-by-the-Governor,-including  
31 representation----from----public----and----private---agencies,

1 organizations, and facilities involved in AIDS research,  
2 prevention, and treatment, which shall advise the Department  
3 on the State AIDS Control Plan. The terms of the initial  
4 appointments shall be staggered so that 13 members are  
5 appointed for 2-year terms and 12 members are appointed for  
6 4-year terms. All subsequent appointments shall be for 4-year  
7 terms. Members shall serve without compensation, but may be  
8 reimbursed for expenses incurred in relation to their duties  
9 on the Council. A Chairman and other officers that may be  
10 considered necessary shall be elected from among the members.  
11 Any vacancy shall be filled for the term of the original  
12 appointment. Members whose terms have expired may continue  
13 to serve until their successors are appointed.

14 (4) Establish alternative blood test services that are  
15 not operated by a blood bank, plasma center or hospital. The  
16 Department shall prescribe by rule minimum criteria,  
17 standards and procedures for the establishment and operation  
18 of such services, which shall include, but not be limited to  
19 requirements for the provision of information, counseling and  
20 referral services that ensure appropriate counseling and  
21 referral for persons whose blood is tested and shows evidence  
22 of exposure to the human immunodeficiency virus (HIV) or  
23 other identified causative agent of acquired immunodeficiency  
24 syndrome (AIDS).

25 (5) Establish regional and community service networks of  
26 public and private service providers or health care  
27 professionals who may be involved in AIDS research,  
28 prevention and treatment.

29 (6) Provide grants to individuals, organizations or  
30 facilities to support the following:

31 (A) Information, referral, and treatment services.

32 (B) Interdisciplinary workshops for professionals  
33 involved in research and treatment.

34 (C) Establishment and operation of a statewide

1 hotline.

2 (D) Establishment and operation of alternative  
3 testing services.

4 (E) Research into detection, prevention, and  
5 treatment.

6 (F) Supplementation of other public and private  
7 resources.

8 (G) Implementation by long-term care facilities of  
9 Department standards and procedures for the care and  
10 treatment of persons with AIDS and the development of  
11 adequate numbers and types of placements for those  
12 persons.

13 (7) Conduct a study and report to the Governor and the  
14 General Assembly by July 1, 1988, on the public and private  
15 costs of AIDS medical treatment, including the availability  
16 and accessibility of inpatient, outpatient, physician, and  
17 community support services.

18 (8) Accept any gift, donation, bequest, or grant of  
19 funds from private or public agencies, including federal  
20 funds that may be provided for AIDS control efforts.

21 (9) Develop and implement, in consultation with the  
22 Long-Term Care Facility Advisory Board, standards and  
23 procedures for long-term care facilities that provide care  
24 and treatment of persons with AIDS, including appropriate  
25 infection control procedures. The Department shall work  
26 cooperatively with organizations representing those  
27 facilities to develop adequate numbers and types of  
28 placements for persons with AIDS and shall advise those  
29 facilities on proper implementation of its standards and  
30 procedures.

31 (10) The Department shall create and administer a  
32 training program for State employees who have a need for  
33 understanding matters relating to AIDS in order to deal with  
34 or advise the public. The training shall include information

1 on the cause and effects of AIDS, the means of detecting it  
 2 and preventing its transmission, the availability of related  
 3 counseling and referral, and other matters that may be  
 4 appropriate. The training may also be made available to  
 5 employees of local governments, public service agencies, and  
 6 private agencies that contract with the State; in those cases  
 7 the Department may charge a reasonable fee to recover the  
 8 cost of the training.

9 (11) Approve tests or testing procedures used in  
 10 determining exposure to HIV or any other identified causative  
 11 agent of AIDS.

12 (Source: P.A. 91-239, eff. 1-1-00.)

13 (Text of Section after amendment by P.A. 92-84)

14 Sec. 2310-315. Prevention and treatment of AIDS. To  
 15 perform the following in relation to the prevention and  
 16 treatment of acquired immunodeficiency syndrome (AIDS):

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21 (2) Conduct a public information campaign for  
 22 physicians, hospitals, health facilities, public health  
 23 departments, law enforcement personnel, public employees,  
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 25 immunodeficiency syndrome (AIDS) and promote necessary  
 26 measures to reduce the incidence of AIDS and the mortality  
 27 from AIDS. This program shall include, but not be limited to,  
 28 the establishment of a statewide hotline and a State AIDS  
 29 information clearinghouse that will provide periodic reports  
 30 and releases to public officials, health professionals,  
 31 community service organizations, and the general public  
 32 regarding new developments or procedures concerning  
 33 prevention and treatment of AIDS.

34 (3) (Blank). Establish---an---AIDS---Advisory---Council

1 consisting of 25 persons appointed by the Governor, including  
 2 representation from public and private agencies,  
 3 organizations, and facilities involved in AIDS research,  
 4 prevention, and treatment, which shall advise the Department  
 5 on the State AIDS Control Plan. The terms of the initial  
 6 appointments shall be staggered so that 13 members are  
 7 appointed for 2-year terms and 12 members are appointed for  
 8 4-year terms. All subsequent appointments shall be for 4-year  
 9 terms. Members shall serve without compensation, but may be  
 10 reimbursed for expenses incurred in relation to their duties  
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 12 considered necessary shall be elected from among the members.  
 13 Any vacancy shall be filled for the term of the original  
 14 appointment. Members whose terms have expired may continue  
 15 to serve until their successors are appointed.

16 (4) Establish alternative blood test services that are  
 17 not operated by a blood bank, plasma center or hospital. The  
 18 Department shall prescribe by rule minimum criteria,  
 19 standards and procedures for the establishment and operation  
 20 of such services, which shall include, but not be limited to  
 21 requirements for the provision of information, counseling and  
 22 referral services that ensure appropriate counseling and  
 23 referral for persons whose blood is tested and shows evidence  
 24 of exposure to the human immunodeficiency virus (HIV) or  
 25 other identified causative agent of acquired immunodeficiency  
 26 syndrome (AIDS).

27 (5) Establish regional and community service networks of  
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31 (6) Provide grants to individuals, organizations or  
 32 facilities to support the following:

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- 34 (B) Interdisciplinary workshops for professionals

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2 (C) Establishment and operation of a statewide  
3 hotline.

4 (D) Establishment and operation of alternative  
5 testing services.

6 (E) Research into detection, prevention, and  
7 treatment.

8 (F) Supplementation of other public and private  
9 resources.

10 (G) Implementation by long-term care facilities of  
11 Department standards and procedures for the care and  
12 treatment of persons with AIDS and the development of  
13 adequate numbers and types of placements for those  
14 persons.

15 (7) (Blank).

16 (8) Accept any gift, donation, bequest, or grant of  
17 funds from private or public agencies, including federal  
18 funds that may be provided for AIDS control efforts.

19 (9) Develop and implement, in consultation with the  
20 Long-Term Care Facility Advisory Board, standards and  
21 procedures for long-term care facilities that provide care  
22 and treatment of persons with AIDS, including appropriate  
23 infection control procedures. The Department shall work  
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30 training program for State employees who have a need for  
31 understanding matters relating to AIDS in order to deal with  
32 or advise the public. The training shall include information  
33 on the cause and effects of AIDS, the means of detecting it  
34 and preventing its transmission, the availability of related

1 counseling and referral, and other matters that may be  
 2 appropriate. The training may also be made available to  
 3 employees of local governments, public service agencies, and  
 4 private agencies that contract with the State; in those cases  
 5 the Department may charge a reasonable fee to recover the  
 6 cost of the training.

7 (11) Approve tests or testing procedures used in  
 8 determining exposure to HIV or any other identified causative  
 9 agent of AIDS.

10 (Source: P.A. 91-239, eff. 1-1-00; 92-84, eff. 7-1-02.)

11 (20 ILCS 2310/2310-375 rep.)

12 (20 ILCS 2310/2310-545 rep.)

13 Section 6. The Department of Public Health Powers and  
 14 Duties Law of the Civil Administrative Code of Illinois is  
 15 amended by repealing Sections 2310-375 and 2310-545.

16 (20 ILCS 4022/Act rep.)

17 Section 10. The Primary Care Medical Education Advisory  
 18 Committee Act is repealed.

19 (30 ILCS 105/5.360 rep.)

20 Section 15. The State Finance Act is amended by repealing  
 21 Section 5.360.

22 (30 ILCS 405/4a rep.)

23 Section 20. The Anti-Pollution Bond Act is amended by  
 24 repealing Section 4a.

25 (35 ILCS 5/507D rep.)

26 Section 25. The Illinois Income Tax Act is amended by  
 27 repealing Section 507D.

28 Section 30. The Baccalaureate Assistance Law for

1 Registered Nurses is amended by changing Section 9 as  
2 follows:

3 (110 ILCS 915/9) (from Ch. 144, par. 1409)

4 Sec. 9. Advisory Council. To assist and advise the  
5 Department in the administration of the Nursing Education  
6 Scholarship Act and this Act, advise on rules and  
7 regulations, recommend standards relating to the awarding of  
8 scholarships, and recommend the awarding of loans and  
9 scholarship and grant forgiveness, there is hereby  
10 established a Nurse Scholarship and Baccalaureate Nursing  
11 Assistance Advisory Council, of 11 members who shall be  
12 appointed for terms of 4 years by the Director as follows: 4  
13 members from a recognized statewide professional nurses  
14 association, 2 members from recognized statewide associations  
15 for professional nurses from associate degree or hospital  
16 based programs in nursing, 2 members from recognized  
17 statewide associations for licensed practical nurses, one  
18 member from the members or employees of the Board, one member  
19 from the Committee of Nurse Examiners under the Illinois  
20 Nursing Practice Act, and one member representative of  
21 consumers of nursing services. The first appointments of  
22 4-year terms, in 1988, shall be staggered, with 3  
23 appointments terminating in 1990 and 4 terminating in 1992.  
24 The terms of the two new appointments required by this  
25 amendatory Act of 1990, shall terminate in 1994. The 2  
26 members added as a result of this amendatory Act of 1991  
27 shall be appointed as soon as possible after the effective  
28 date of this amendatory Act of 1991 and their terms shall  
29 expire in 1995. Each member shall continue to serve after the  
30 expiration of his or her term until a successor has been  
31 appointed and qualified. No person shall serve more than 2  
32 terms. Vacancies shall be filled by appointment for the  
33 unexpired term of any member in the same manner as the vacant



1 position had been filled. The Department may delegate all or  
 2 any of its functions hereunder to the Advisory Council. ~~From~~  
 3 ~~time-to-time,-and-at-least-once-in-each-5-years,-the-Advisory~~  
 4 ~~Council-shall-make-and-publish-an-evaluation-of--the--program~~  
 5 ~~under-this-Act-~~

6 (Source: P.A. 86-1467; 87-577.)

7 (210 ILCS 85/6.05 rep.)

8 (210 ILCS 85/6.18 rep.)

9 Section 35. The Hospital Licensing Act is amended by  
 10 repealing Sections 6.05 and 6.18.

11 Section 40. The Senior Citizens and Disabled Persons  
 12 Property Tax Relief and Pharmaceutical Assistance Act is  
 13 amended by changing Section 3.15 as follows:

14 (320 ILCS 25/3.15) (from Ch. 67 1/2, par. 403.15)

15 Sec. 3.15. "Covered prescription drug" means (1) any  
 16 cardiovascular agent or drug; (2) any insulin or other  
 17 prescription drug used in the treatment of diabetes,  
 18 including syringe and needles used to administer the insulin;  
 19 (3) any prescription drug used in the treatment of arthritis,  
 20 (4) beginning on January 1, 2001, any prescription drug used  
 21 in the treatment of cancer, (5) beginning on January 1, 2001,  
 22 any prescription drug used in the treatment of Alzheimer's  
 23 disease, (6) beginning on January 1, 2001, any prescription  
 24 drug used in the treatment of Parkinson's disease, (7)  
 25 beginning on January 1, 2001, any prescription drug used in  
 26 the treatment of glaucoma, (8) beginning on January 1, 2001,  
 27 any prescription drug used in the treatment of lung disease  
 28 and smoking related illnesses, and (9) beginning on July 1,  
 29 2001, any prescription drug used in the treatment of  
 30 osteoporosis. The specific agents or products to be included  
 31 under such categories shall be listed in a handbook to be

1 prepared and distributed by the Department. The general  
 2 types of covered prescription drugs shall be indicated by  
 3 rule. ~~The--Department--of--Public-Health--shall--promulgate--a~~  
 4 ~~list--of--covered--prescription--drugs--under--this--program--that~~  
 5 ~~meet--the--definition--of--a--narrow--therapeutic--index--drug--as~~  
 6 ~~described--in--subsection--(f)--of--Section--4.~~

7 (Source: P.A. 91-699, eff. 1-1-01; 92-10, eff. 6-11-01.)

8 (410 ILCS 315/2c rep.)

9 Section 45. The Communicable Disease Prevention Act is  
 10 amended by repealing Section 2c.

11 (410 ILCS 420/3.5 rep.)

12 Section 50. The Hemophilia Care Act is amended by  
 13 repealing Section 3.5.

14 Section 99. Effective date. This Act takes effect upon  
 15 becoming law.