

1 AN ACT in relation to 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 adding Section 2310-338 as follows:

7 (20 ILCS 2310/2310-338 new)

8 Sec. 2310-338. Comprehensive statewide asthma management
9 plan.

10 (a) The Department shall develop, maintain, and revise
11 biennially a written comprehensive statewide plan (the
12 "statewide asthma management plan") for (i) reducing the rate
13 of hospitalizations due to asthma and (ii) facilitating the
14 effective management of asthma in persons with asthma who
15 reside in Illinois. The plan shall address, but need not be
16 limited to: disease surveillance and investigation; public
17 and professional education; identification and replication of
18 the best practices for public health and clinical
19 interventions; public and private partnerships with health
20 care providers, third-party payors, local school systems, and
21 community coalitions; and identification of sources of grant
22 funding. The plan shall place primary emphasis on, but not be
23 limited to, children between the ages of birth and 18 years.

24 (b) In order to develop the statewide asthma management
25 plan, the Department shall consult with: representatives of
26 the medical, nursing, pharmacy, and allied health
27 professions; public health agencies; community coalition
28 leaders; insurers; hospital personnel; the State Board of
29 Education and local school systems; and other appropriate
30 entities.

31 (c) Subject to appropriations, the Department shall

1 implement programs to meet the objectives of the statewide
2 asthma management plan. The Department shall ensure, to the
3 extent feasible and appropriate, that existing Department
4 programs, systems, and infrastructure are efficiently
5 utilized as a basis for implementing the plan.

6 (d) The Department shall adopt rules to implement the
7 provisions of the statewide asthma management plan.

8 (e) The Department shall report by December 31 of each
9 year to the Governor and the General Assembly concerning (i)
10 the development and implementation of the statewide asthma
11 management plan and (ii) the effectiveness of the
12 Department's programs in reducing the rate of
13 hospitalizations due to asthma in the State and facilitating
14 more effective management of asthma.

15 Section 10. The State Finance Act is amended by changing
16 Section 6z-43 as follows:

17 (30 ILCS 105/6z-43)

18 Sec. 6z-43. Tobacco Settlement Recovery Fund.

19 (a) There is created in the State Treasury a special
20 fund to be known as the Tobacco Settlement Recovery Fund,
21 into which shall be deposited all monies paid to the State
22 pursuant to (1) the Master Settlement Agreement entered in
23 the case of People of the State of Illinois v. Philip Morris,
24 et al. (Circuit Court of Cook County, No. 96-L13146) and (2)
25 any settlement with or judgment against any tobacco product
26 manufacturer other than one participating in the Master
27 Settlement Agreement in satisfaction of any released claim as
28 defined in the Master Settlement Agreement, as well as any
29 other monies as provided by law. All earnings on Fund
30 investments shall be deposited into the Fund. Upon the
31 creation of the Fund, the State Comptroller shall order the
32 State Treasurer to transfer into the Fund any monies paid to

1 the State as described in item (1) or (2) of this Section
2 before the creation of the Fund plus any interest earned on
3 the investment of those monies. The Treasurer may invest the
4 moneys in the Fund in the same manner, in the same types of
5 investments, and subject to the same limitations provided in
6 the Illinois Pension Code for the investment of pension funds
7 other than those established under Article 3 or 4 of the
8 Code.

9 (a-5) In addition to any other use authorized by law,
10 moneys in the Tobacco Settlement Recovery Fund may be
11 appropriated for use in funding the implementation of the
12 statewide asthma management plan developed by the Department
13 of Public Health under Section 2310-338 of the Department of
14 Public Health Powers and Duties Law (20 ILCS 2310/2310-338).

15 (b) As soon as may be practical after June 30, 2001, the
16 State Comptroller shall direct and the State Treasurer shall
17 transfer the unencumbered balance in the Tobacco Settlement
18 Recovery Fund as of June 30, 2001 into the Budget
19 Stabilization Fund. The Treasurer may invest the moneys in
20 the Budget Stabilization Fund in the same manner, in the same
21 types of investments, and subject to the same limitations
22 provided in the Illinois Pension Code for the investment of
23 pension funds other than those established under Article 3 or
24 4 of the Code.

25 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;
26 91-797, eff. 6-9-00; revised 6-28-00.)