

INTEROFFICE MEMORANDUM

Date: May 27, 2020
To: George Koczwara, Village Manager
Greg Summers, Assistant Village Manager
From: Ahmad M. Zayyad, Assistant to the Village Manager
Subject: Local Health Department – Feasibility Study

A certified Local Health Department is a local agency that carries out the core functions of public health, assessment, policy development, and oversight, within its jurisdiction. Any Local Health Department currently recognized by the Illinois Department of Public Health (IDPH) will be eligible to seek recertification.

Certified Local Health Departments are funded from a combination of sources. In general, Local Health Departments receive monies from local fee-for-services, local tax support (levy), state funding from IDPH, other state agencies, federal sources, and non-governmental grant sources.

The advantage of 'certification' would be the eligibility for Local Health Protection Grants, awarded by IDPH. IDPH will regularly make other grants available to certified local health departments and will give preference to certified local health departments, for other certain grants.

It is the current policy of the IDPH to only recognize and certify new health departments that serve no less than a county. Therefore the Village of Orland Park cannot establish its own 'certified' Local Health Department, at this time.

With that said, the Village does have the alternative option under the 'Nursing Home Care Act' which explicitly grants municipalities (whether home-rule or not) the ability to pass ordinances that regulate nursing homes, and, under such an ordinance, the Village may charge for licensing and renewal fees. 210 ILCS 45/3-104; 210 ILCS 45/3-107. However, case law suggests that, in passing those ordinances, even home-rule municipalities must follow the licensing and enforcement provisions of the Act "to the greatest degree." Cong. Care Ctr. Assocs. v. Chicago Dep't of Health, 260 Ill.App.3d 586, 590 (1st Dist. 1994). This is so even though the Act itself does not explicitly limit home rule power. Id. at 588. The Act says that a municipality's ordinance must comply "with at least the minimum requirements established by the Department [of Public Health] under this Act" and that the "licensing and enforcement provisions of the municipality shall fully comply with this Act." 210 ILCS 45/3-104. In Congress Care Center Associates, a case against the home-rule municipality of Chicago, the court held that Chicago's ordinance was not an abuse of its home rule powers

because its ordinance did not “do offense to the requirements that local ordinances ‘fully comply’ with the State’s Nursing Home Care Act.” Cong. Care Ctr. Assocs., 260 Ill.App.3d at 591. Any ordinance adopted by the Village Board would rely on the Village’s home-rule authority as well as the above statutory authority.

Additional Supplemental Information

Cook County Department of Public Health

Under the Count code (Sec. 38-29 – Jurisdiction)

The County Board and the Department shall have jurisdiction throughout the County of Cook except within any city, village, or incorporated town, or a combination thereof, which is maintaining a health department certified by the Illinois Department of Public Health. The Board and Department may have additional jurisdiction when acting pursuant to a specific delegation of responsibilities by the Illinois Department of Public Health. (Ord. No. 04-O-13, § 1(5-203), 3-9-2004.)

Under the Count Code (Sec. 38-33. – Measures ordered by department Issuance of orders; court petitions)

The Department may order measures it deems necessary to protect the public's health including, but not limited to, an order requiring that a person or a group of persons be quarantined or isolated or that a place be closed and made off-limits to the public. As well as, the Department may order that an individual be quarantined or isolated to prevent the spread of dangerously communicable disease when an individual refuses or fails to submit to measures required by the Department to investigate whether a person is or may be infected with or capable of communicating a dangerously communicable disease. Moreover, a health care provider licensed in Illinois and a law enforcement officer with proper jurisdiction shall be authorized to enforce orders issued by the Department and orders of the Court concerning public health measures and shall assist the Department in enforcing such orders.

Existing Certified Local Health Departments (Non-County)

Skokie Department of Health

Skokie has had a Health Department since 1907 when it was established by the Village Board. There is a separate 20-member Board of Health, appointed the by Mayor, that is advisory. Also in 1968, the Health Department became "State-certified" which means that they meet criteria set forth by the Illinois Department of Public Health. Again, IDPH no longer certifies at the city level, therefore, Skokie, Evanston, Oak Park, and the City of Chicago are unique in terms of the Public Health System in the State of Illinois.

Skokie’s local funds cover about 60% of the Health Department's expenses, with 20% coming from fees, and 20% from grants of various sorts during a typical year. Skokie does not have a separate tax levy.

As of May 1st, 2020, the Health Department has merged with the Village Human Services Division, and there are 20 staff members including administration, clerical, social workers, nurses, and environmental health inspectors.

Evanston Department of Health and Human Services

Evanston's Department of Health was created by resolution and interestingly predates the state department of public health. Recently, Evanston created a separate taxing levy last year due to reorganization. Evanston qualifies for and receives some funding from the county but the majority directly from IDPH (approximately 13 grants), and receives additional funding from fees for licensing.

All Social Services are being moved out of the 'General Fund' to the 'Human Services Fund'. A new property tax levy has been created to specifically support these services, in the amount of \$3,110,110. Organizing the fund in this manner is anticipated to create a dedicated revenue source for Social Services provided by the City and separate these services from general operations. The revenue and expenses for the reorganized fund are shown in the table below.

2020 Adopted Budget - Human Services Fund	Revenues	Expenses
Human Services Grant Revenue	\$93,000	
Transfer from Library Fund	\$70,000	
Transfer from Good Neighbor Fund (supporting Youth Services)	\$100,000	
New Human Services Tax Levy	\$3,110,000	
Mental Health Board Distribution		\$736,373
Human Services Division		\$1,150,052
Youth and Young Adult Division		\$1,481,324
Total Human Services Fund	\$3,373,000	\$3,367,749

Evanston's current staffing level for the health department equates to 28 FTE, which includes a public health division, human services division, youth and young adult division, and senior services division.

Oak Park Department of Health

The Oak Park Health Department has been an Illinois' certified local health department since 1948. The Department is required to deliver the ten essential public health services of a local health department:

1. Monitor health status to identify and solve community health problems.
2. Diagnose and investigate health problems and health hazards in the community.
3. Inform, educate, and empower people about health issues.
4. Mobilize community partnerships and action to identify and solve health problems.
5. Develop policies and plans that support individual and community health efforts.
6. Enforce laws and regulations that protect health and ensure safety.
7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable.
8. Assure competent public and personal health care workforce.
9. Evaluate effectiveness, accessibility, and quality of personal and population-based health services.
10. Research for new insights and innovative solutions to health problems.

As a delegate agency for the State of Illinois, a certified health department must maintain qualified staff to carry out public health programming and must complete a community health

needs assessment and strategic plan (IPLAN) every five years. The IPLAN for 2016- 2021 was completed in 2017 and submitted as part of the State's recertification requirement.

A certified local health department is uniquely qualified to deliver Local Health Protection programs which are core public health programs and include communicable disease control. The Local Health Protection Grant is awarded to every certified health department, annually, to help defray a portion of the costs of carrying out these programs. Every year, the Health Department receives grants from local and state agencies including Cook County, the Illinois Department of Human Services, and the Illinois Department of Public Health (IDPH) to carry out a variety of public health programs.

The Health Department staff consists of the Public Health Director, two (2) Environmental Health Practitioners ('Sanitarians'), one (1) full-time Public Health Nurse, one (1) Administrative Assistant, one (1) full-time Grants Coordinator, one (1) full-time Emergency Preparedness and Response Coordinator and one (1) Animal Control Officer.

Recently, the Oak Park Department of Public Health is regularly notified of positive tests as established by state and local public health protocols. Because of privacy laws, no additional information can be released about individuals. It is noted, that privacy precludes location information regarding individuals tested to anyone other than Public Health Officials and First Responders.

Communicable Disease staff managed several communicable disease outbreaks that affected Oak Park institutional facilities including at Oak Park schools, assisted living facilities, long-term care facilities.

The department uses its home rule authority to pass ordinances to regulating long-term care facilities when the department is notified of a positive case.

Park Forest Department of Health

The organization sunset their Department of Health back in 2018 since the cost to provide services was cost prohibitive and draining the general operating fund. With that said, there was no desire by the Park Forest Board to levy an additional tax on the community to continue to provide these types of services.

Local Health Departments (Non-certified)

Arlington Heights Health Department

The Health Department was established by the Village Board in 1969. The department is not certified due to state statute limitations and requirements to have to meet specific criteria including a full-time medical physician. Currently, the department has 13 FTE including a full-time Director, 3 staff to assist in complaints, 2 nurses for home visits, and staff a wellness clinic. Additionally, the department has a licensed clinical social service worker and a full-time manager and full-time assistant at their Senior Center.

Funding is part of the general fund and not a separate tax levy, with a budget at approximately 1.7 million for Health Service and an additional 614 thousand for their Senior Center. The community does not receive IDPH funding since their department is not certified by the state. With that said, they have two non-for-profits, 'Arlington Cares' who regularly assist in raising funds (approximately 20k a year) for subsidized services. Additionally, 'Senior Inc.' also a non-for-profit raises funds for the Village Senior Center. Moreover, the Village received CDBG funding that came through their planning department to provide rent assistance; the funds are over 100 thousand dollars.

According to Arlington Heights Director, IDPH is not responsible for inspections of long-term facilities and further articulated they have a continued great relationship with the Cook County Health Department who performs that function.

Village of Hoffman Estates Health and Human Service Department

The Village of Hoffman Estates has a Sanitarian on staff that is a health inspector in their Development Services Department, part of our Code Division. Hoffman Estates has a Health and Human Services Department that provides general mental health services and also does vaccination clinics.

Staff for Hoffman Estates Health and Human Service Department includes two full-time Clinical Psychologists, two part-time Registered Nurses, two full-time paid doctoral interns, three part-time clinical supervisors, and five part-time unpaid externs. Administrative support is provided by one full-time Administrative Assistant and one part-time Medical Records Clerk. The department's program and services include infant and child immunizations, adult and senior health clinics and immunizations, individual counseling, family counseling, couples counseling, and psychological assessments. Community-based services include prevention and educational programming for youth, as well as community outreach programs. Additional activities include providing supervision and training for graduate-level Clinical Psychology students and advance degree nursing students.