

1 AN ACT in relation to human needs.

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

4 Section 5. The Department of Human Services Act is
5 amended by adding Section 10-30 as follows:

6 (20 ILCS 1305/10-30 new)

7 Sec. 10-30. Hispanic/Latino Teen Pregnancy Prevention and
8 Intervention Initiative.

9 (a) The Department is authorized to establish a
10 Hispanic/Latino Teen Pregnancy Prevention and Intervention
11 Initiative program.

12 (b) As a part of the program established under
13 subsection (a), the Department is authorized to award a grant
14 to a qualified entity for the purpose of conducting research,
15 education, and prevention activities to reduce pregnancy
16 among Hispanic teenagers.

17 Section 10. The Illinois Public Aid Code is amended by
18 changing Section 5-2 as follows:

19 (305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

20 Sec. 5-2. Classes of Persons Eligible. Medical
21 assistance under this Article shall be available to any of
22 the following classes of persons in respect to whom a plan
23 for coverage has been submitted to the Governor by the
24 Illinois Department and approved by him:

25 1. Recipients of basic maintenance grants under Articles
26 III and IV.

27 2. Persons otherwise eligible for basic maintenance
28 under Articles III and IV but who fail to qualify thereunder
29 on the basis of need, and who have insufficient income and

1 resources to meet the costs of necessary medical care,
2 including but not limited to the following:

3 (a) All persons otherwise eligible for basic
4 maintenance under Article III but who fail to qualify
5 under that Article on the basis of need and who meet
6 either of the following requirements:

7 (i) their income, as determined by the
8 Illinois Department in accordance with any federal
9 requirements, is equal to or less than 70% in fiscal
10 year 2001, equal to or less than 85% in fiscal year
11 2002, and equal to or less than 100% in fiscal year
12 2003 and thereafter of the nonfarm income official
13 poverty line, as defined by the federal Office of
14 Management and Budget and revised annually in
15 accordance with Section 673(2) of the Omnibus Budget
16 Reconciliation Act of 1981, applicable to families
17 of the same size; or

18 (ii) their income, after the deduction of
19 costs incurred for medical care and for other types
20 of remedial care, is equal to or less than 70% in
21 fiscal year 2001, equal to or less than 85% in
22 fiscal year 2002, and equal to or less than 100% in
23 fiscal year 2003 and thereafter of the nonfarm
24 income official poverty line, as defined in item (i)
25 of this subparagraph (a).

26 (b) All persons who would be determined eligible
27 for such basic maintenance under Article IV by
28 disregarding the maximum earned income permitted by
29 federal law.

30 3. Persons who would otherwise qualify for Aid to the
31 Medically Indigent under Article VII.

32 4. Persons not eligible under any of the preceding
33 paragraphs who fall sick, are injured, or die, not having
34 sufficient money, property or other resources to meet the

1 costs of necessary medical care or funeral and burial
2 expenses.

3 5. (a) Women during pregnancy, after the fact of
4 pregnancy has been determined by medical diagnosis, and
5 during the 60-day period beginning on the last day of the
6 pregnancy, together with their infants and children born
7 after September 30, 1983, whose income and resources are
8 insufficient to meet the costs of necessary medical care
9 to the maximum extent possible under Title XIX of the
10 Federal Social Security Act.

11 (b) The Illinois Department and the Governor shall
12 provide a plan for coverage of the persons eligible under
13 paragraph 5(a) by April 1, 1990. Such plan shall provide
14 ambulatory prenatal care to pregnant women during a
15 presumptive eligibility period and establish an income
16 eligibility standard that is equal to 133% of the nonfarm
17 income official poverty line, as defined by the federal
18 Office of Management and Budget and revised annually in
19 accordance with Section 673(2) of the Omnibus Budget
20 Reconciliation Act of 1981, applicable to families of the
21 same size, provided that costs incurred for medical care
22 are not taken into account in determining such income
23 eligibility.

24 (c) The Illinois Department may conduct a
25 demonstration in at least one county that will provide
26 medical assistance to pregnant women, together with their
27 infants and children up to one year of age, where the
28 income eligibility standard is set up to 185% of the
29 nonfarm income official poverty line, as defined by the
30 federal Office of Management and Budget. The Illinois
31 Department shall seek and obtain necessary authorization
32 provided under federal law to implement such a
33 demonstration. Such demonstration may establish resource
34 standards that are not more restrictive than those

1 established under Article IV of this Code.

2 6. Persons under the age of 18 who fail to qualify as
3 dependent under Article IV and who have insufficient income
4 and resources to meet the costs of necessary medical care to
5 the maximum extent permitted under Title XIX of the Federal
6 Social Security Act.

7 7. Persons who are 18 years of age or younger and would
8 qualify as disabled as defined under the Federal Supplemental
9 Security Income Program, provided medical service for such
10 persons would be eligible for Federal Financial
11 Participation, and provided the Illinois Department
12 determines that:

13 (a) the person requires a level of care provided by
14 a hospital, skilled nursing facility, or intermediate
15 care facility, as determined by a physician licensed to
16 practice medicine in all its branches;

17 (b) it is appropriate to provide such care outside
18 of an institution, as determined by a physician licensed
19 to practice medicine in all its branches;

20 (c) the estimated amount which would be expended
21 for care outside the institution is not greater than the
22 estimated amount which would be expended in an
23 institution.

24 8. Persons who become ineligible for basic maintenance
25 assistance under Article IV of this Code in programs
26 administered by the Illinois Department due to employment
27 earnings and persons in assistance units comprised of adults
28 and children who become ineligible for basic maintenance
29 assistance under Article VI of this Code due to employment
30 earnings. The plan for coverage for this class of persons
31 shall:

32 (a) extend the medical assistance coverage for up
33 to 12 months following termination of basic maintenance
34 assistance; and

1 (b) offer persons who have initially received 6
 2 months of the coverage provided in paragraph (a) above,
 3 the option of receiving an additional 6 months of
 4 coverage, subject to the following:

5 (i) such coverage shall be pursuant to
 6 provisions of the federal Social Security Act;

7 (ii) such coverage shall include all services
 8 covered while the person was eligible for basic
 9 maintenance assistance;

10 (iii) no premium shall be charged for such
 11 coverage; and

12 (iv) such coverage shall be suspended in the
 13 event of a person's failure without good cause to
 14 file in a timely fashion reports required for this
 15 coverage under the Social Security Act and coverage
 16 shall be reinstated upon the filing of such reports
 17 if the person remains otherwise eligible.

18 9. Persons with acquired immunodeficiency syndrome
 19 (AIDS) or with AIDS-related conditions with respect to whom
 20 there has been a determination that but for home or
 21 community-based services such individuals would require the
 22 level of care provided in an inpatient hospital, skilled
 23 nursing facility or intermediate care facility the cost of
 24 which is reimbursed under this Article. Assistance shall be
 25 provided to such persons to the maximum extent permitted
 26 under Title XIX of the Federal Social Security Act.

27 10. Participants in the long-term care insurance
 28 partnership program established under the Partnership for
 29 Long-Term Care Act who meet the qualifications for protection
 30 of resources described in Section 25 of that Act.

31 11. Persons with disabilities who are employed and
 32 eligible for Medicaid, pursuant to Section
 33 1902(a)(10)(A)(ii)(xv) of the Social Security Act, as
 34 provided by the Illinois Department by rule.

1 12. Subject to federal approval, for the receipt of
 2 family planning services, persons whose income is less than
 3 200% of the poverty guidelines updated annually in the
 4 Federal Register by the U.S. Department of Health and Human
 5 Services under authority of 42 U.S.C. 9902(2). The
 6 Department must request federal approval of coverage under
 7 this paragraph 12 within 30 days after the effective date of
 8 this amendatory Act of the 92nd General Assembly.

9 The Illinois Department and the Governor shall provide a
 10 plan for coverage of the persons eligible under paragraph 7
 11 as soon as possible after July 1, 1984.

12 The eligibility of any such person for medical assistance
 13 under this Article is not affected by the payment of any
 14 grant under the Senior Citizens and Disabled Persons Property
 15 Tax Relief and Pharmaceutical Assistance Act or any
 16 distributions or items of income described under subparagraph
 17 (X) of paragraph (2) of subsection (a) of Section 203 of the
 18 Illinois Income Tax Act. The Department shall by rule
 19 establish the amounts of assets to be disregarded in
 20 determining eligibility for medical assistance, which shall
 21 at a minimum equal the amounts to be disregarded under the
 22 Federal Supplemental Security Income Program. The amount of
 23 assets of a single person to be disregarded shall not be less
 24 than \$2,000, and the amount of assets of a married couple to
 25 be disregarded shall not be less than \$3,000.

26 To the extent permitted under federal law, any person
 27 found guilty of a second violation of Article VIII A shall be
 28 ineligible for medical assistance under this Article, as
 29 provided in Section 8A-8.

30 The eligibility of any person for medical assistance
 31 under this Article shall not be affected by the receipt by
 32 the person of donations or benefits from fundraisers held for
 33 the person in cases of serious illness, as long as neither
 34 the person nor members of the person's family have actual

1 control over the donations or benefits or the disbursement of
2 the donations or benefits.

3 (Source: P.A. 91-676, eff. 12-23-99; 91-699, eff. 7-1-00;
4 91-712, eff. 7-1-00; revised 6-26-00.)