

1 AN ACT in relation to public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Sections 5-8 and 12-13 as follows:

6 (305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

7 Sec. 5-8. Practitioners. In supplying medical assistance,  
8 the Illinois Department may provide for the legally  
9 authorized services of (i) persons licensed under the Medical  
10 Practice Act of 1987, as amended, except as hereafter in this  
11 Section stated, whether under a general or limited license,  
12 (ii) and-ef persons licensed or registered under other laws  
13 of this State to provide dental, medical, pharmaceutical,  
14 optometric, podiatric, or nursing services, or other remedial  
15 care recognized under State law, and (iii) persons licensed  
16 under other laws of this State as a clinical psychologist,  
17 clinical social worker, or clinical professional counselor.  
18 The Department may not provide for legally authorized  
19 services of any physician who has been convicted of having  
20 performed an abortion procedure in a wilful and wanton manner  
21 on a woman who was not pregnant at the time such abortion  
22 procedure was performed. The utilization of the services of  
23 persons engaged in the treatment or care of the sick, which  
24 persons are not required to be licensed or registered under  
25 the laws of this State, is not prohibited by this Section.

26 (Source: P.A. 85-1209.)

27 (305 ILCS 5/12-13) (from Ch. 23, par. 12-13)

28 Sec. 12-13. Rules and regulations. The Department shall  
29 make all rules and regulations and take such action as may be  
30 necessary or desirable for carrying out the provisions of

1 this Code, to the end that its spirit and purpose may be  
2 achieved and the public aid programs administered efficiently  
3 throughout the State. However, the rules and regulations  
4 shall not provide that payment for services rendered to a  
5 specific recipient by (i) a person licensed under the Medical  
6 Practice Act of 1987, whether under a general or limited  
7 license, (ii) ~~or~~ a person licensed or registered under other  
8 laws of this State to provide dental, optometric, or  
9 pediatric care, or (iii) a licensed clinical psychologist,  
10 licensed clinical social worker, or licensed clinical  
11 professional counselor may be authorized only when services  
12 are recommended for that recipient by a person licensed to  
13 practice medicine in all its branches.

14 Whenever a rule of the Department requires that an  
15 applicant or recipient verify information submitted to the  
16 Department, the rule, in order to make the public fully aware  
17 of what information is required for verification, shall  
18 specify the acceptable means of verification or shall list  
19 examples of acceptable means of verification.

20 The provisions of the Illinois Administrative Procedure  
21 Act are hereby expressly adopted and incorporated herein, and  
22 shall apply to all administrative rules and procedures of the  
23 Illinois Department under this Act, except that Section 5-35  
24 of the Illinois Administrative Procedure Act relating to  
25 procedures for rule-making does not apply to the adoption of  
26 any rule required by federal law in connection with which the  
27 Illinois Department is precluded by law from exercising any  
28 discretion, and the requirements of the Administrative  
29 Procedure Act with respect to contested cases are not  
30 applicable to (1) hearings involving eligibility of  
31 applicants or recipients of public aid, (2) support hearings  
32 involving responsible relatives, or (3) personnel hearings  
33 involving matters arising under Section 12-18.1.

34 (Source: P.A. 88-45.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.