



1 under Title XIX of the Social Security Act. Providers  
2 under this subdivision (a)(2) shall be subject to  
3 approval by the Department to provide health care under  
4 the Illinois Public Aid Code and shall be reimbursed at  
5 the same rate as providers under the State's approved  
6 plan under Title XIX of the Social Security Act. In  
7 addition, providers may retain co-payments when  
8 determined appropriate by the Department.

9 (b) The subsidization provided pursuant to subdivision  
10 (a)(1) shall be credited to the family of the eligible child.  
11 The Department shall make the subsidization pursuant to  
12 subdivision (a)(1) available to children whose annual  
13 household income is at or below 133% of the federal poverty  
14 level.

15 (c) The Department is prohibited from denying coverage  
16 to a child who is enrolled in a privately sponsored health  
17 insurance plan pursuant to subdivision (a)(1) because the  
18 plan does not meet federal benchmarking standards or cost  
19 sharing and contribution requirements. To be eligible for  
20 inclusion in the Program, the plan shall contain  
21 comprehensive major medical coverage which shall consist of  
22 physician and hospital inpatient services. The Department is  
23 prohibited from denying coverage to a child who is enrolled  
24 in a privately sponsored health insurance plan pursuant to  
25 subdivision (a)(1) because the plan offers benefits in  
26 addition to physician and hospital inpatient services.

27 (d) The total dollar amount of subsidizing coverage per  
28 child per month pursuant to subdivision (a)(1) shall be equal  
29 to the average dollar payments, less premiums incurred, per  
30 child per month pursuant to subdivision (a)(2). The  
31 Department shall set this amount prospectively based upon the  
32 prior fiscal year's experience adjusted for incurred but not  
33 reported claims and estimated increases or decreases in the  
34 cost of medical care. Payments obligated before July 1,

1 1999, will be computed using State Fiscal Year 1996 payments  
2 for children eligible for Medical Assistance and income  
3 assistance under the Aid to Families with Dependent Children  
4 Program, with appropriate adjustments for cost and  
5 utilization changes through January 1, 1999. The Department  
6 is prohibited from providing a subsidy pursuant to  
7 subdivision (a)(1) that is more than the individual's monthly  
8 portion of the premium.

9 (e) An eligible child may obtain immediate coverage  
10 under this Program only once during a medical visit. If  
11 coverage lapses, re-enrollment shall be completed in advance  
12 of the next covered medical visit and the first month's  
13 required premium shall be paid in advance of any covered  
14 medical visit.

15 (f) In order to accelerate and facilitate the  
16 development of networks to deliver services to children in  
17 areas outside counties with populations in excess of  
18 3,000,000, in the event less than 25% of the eligible  
19 children in a county or contiguous counties has enrolled with  
20 a Health Maintenance Organization pursuant to Section 5-11 of  
21 the Illinois Public Aid Code, the Department may develop and  
22 implement demonstration projects to create alternative  
23 networks designed to enhance enrollment and participation in  
24 the program. The Department shall prescribe by rule the  
25 criteria, standards, and procedures for effecting  
26 demonstration projects under this Section.

27 (Source: P.A. 90-736, eff. 8-12-98.)

28 (215 ILCS 106/40)

29 (Section scheduled to be repealed on July 1, 2002)

30 Sec. 40. Waivers.

31 (a) The Department shall request any necessary waivers  
32 of federal requirements in order to allow receipt of federal  
33 funding for:

1           (1) the coverage of families with eligible children  
2 under this Act; and

3           (2) ~~for~~ the coverage of children who would  
4 otherwise be eligible under this Act, but who have health  
5 insurance; and-

6           (3) the coverage of children that are eligible  
7 under subsection (b) of Section 25.

8           (b) The failure of the responsible federal agency to  
9 approve a waiver for children who would otherwise be eligible  
10 under this Act but who have health insurance shall not  
11 prevent the implementation of any Section of this Act  
12 provided that there are sufficient appropriated funds.

13           (Source: P.A. 90-736, eff. 8-12-98.)

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