

SB0079



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0079

Introduced 1/23/2019, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

305 ILCS 5/11-6

from Ch. 23, par. 11-6

Amends the Illinois Public Aid Code. Provides that if the Department of Human Services fails to notify a facility licensed under the Nursing Home Care Act or a supportive living facility authorized under the Code that a resident's application for medical assistance or long-term care benefits is rejected or denied, the Department shall reinstate the application effective the date of rejection or denial, the caseworker assigned to process the application shall identify and retrieve all missing information on behalf of the resident, and the facility and resident shall be notified of the reinstatement, any informational requests, and the outcome. Requires the Department to expedite the processing of all reinstated applications. Effective immediately.

LRB101 05269 KTG 50282 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning 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 Section 11-6 as follows:

6 (305 ILCS 5/11-6) (from Ch. 23, par. 11-6)

7 Sec. 11-6. Decisions on applications. Within 10 days after
8 a decision is reached on an application, the applicant shall be
9 notified in writing of the decision. If the applicant resides
10 in a facility licensed under the Nursing Home Care Act or a
11 supportive living facility authorized under Section 5-5.01a,
12 the facility shall also receive written notice of the decision,
13 provided that the notification is related to a Department
14 payment for services received by the applicant in the facility.
15 Only facilities enrolled in and subject to a provider agreement
16 under the medical assistance program under Article V may
17 receive such notices of decisions. The Department shall
18 consider eligibility for, and the notice shall contain a
19 decision on, each of the following assistance programs for
20 which the client may be eligible based on the information
21 contained in the application: Temporary Assistance for Needy
22 Families, Medical Assistance, Aid to the Aged, Blind and
23 Disabled, General Assistance (in the City of Chicago), and food

1 stamps. No decision shall be required for any assistance
2 program for which the applicant has expressly declined in
3 writing to apply. If the applicant is determined to be
4 eligible, the notice shall include a statement of the amount of
5 financial aid to be provided and a statement of the reasons for
6 any partial grant amounts. If the applicant is determined
7 ineligible for any public assistance the notice shall include
8 the reason why the applicant is ineligible. If the application
9 for any public assistance is denied, the notice shall include a
10 statement defining the applicant's right to appeal the
11 decision. The Illinois Department, by rule, shall determine the
12 date on which assistance shall begin for applicants determined
13 eligible. That date may be no later than 30 days after the date
14 of the application.

15 If the Department fails to notify a facility that a
16 resident's application for medical assistance or long-term
17 care benefits is rejected or denied, the Department shall
18 reinstate the application effective the date of rejection or
19 denial, the caseworker assigned to process the application
20 shall identify and retrieve all missing information on behalf
21 of the resident, and the facility and resident shall be
22 notified of the reinstatement, any informational requests, and
23 the outcome. The Department shall expedite the processing of
24 all applications reinstated in accordance with this paragraph.

25 Under no circumstances may any application be denied solely
26 to meet an application-processing deadline. As used in this

1 Section, "application" also refers to requests for admission
2 approval to facilities licensed under the Nursing Home Care Act
3 or to supportive living facilities authorized under Section
4 5-5.01a.

5 (Source: P.A. 100-665, eff. 8-2-18; 100-863, eff. 8-14-18.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.