**Section 120.320 Cooperation in Establishing Paternity and Obtaining Medical Support**

a) In accordance with 89 Ill. Adm. Code 160.30, as a condition of eligibility for medical assistance a caretaker relative or spouse included in the assistance unit, who assigned to the Department his/her rights to medical support, shall cooperate with the Department in:

1) establishing the paternity of a child born out of wedlock, for whom the individual can legally assign rights; and

2) obtaining medical support and payments on his or her own behalf and on behalf of those persons for whom the client has assigned rights.

b) Cooperating with the Department in establishing paternity and obtaining medical support payments includes:

1) appearing at such places as the Department's offices or the offices of the Department's legal representative, as necessary, to provide information or evidence, known to, possess by or reasonably obtainable by the client (e.g. identity/location of the legally responsible relative, or identity/location of a third party who has information regarding the legally responsible relative), or attest to the lack of information under penalty of perjury;

2) appearing and testifying as a witness at judicial proceedings;

3) paying to the Department any medical support payments or third party payments for medical care; and

4) taking any other reasonable steps to assist in establishing paternity and securing medical support and payments (e.g. signing legal documents (complaints), submitting to blood tests).

c)

1) If the caretaker and his/her spouse are in the home and included in the assistance unit, both must comply with the cooperation requirements unless the Department determines the individual is exempt from cooperation for good cause. A caretaker relative or spouse who fails or refuses without good cause, to cooperate in establishing paternity or securing medical support, shall be excluded from the medical assistance unit.

2) The remaining eligible assistance unit members, shall be authorized medical assistance through a representative payee, until such time as the person meets the cooperation requirement. A representative payee is a specified relative in all cases other than those listed in 89 Ill. Adm. Code 117.10.

(Source: Amended at 16 Ill. Reg. 1862, effective January 20, 1992)