



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4736

by Rep. Fred Crespo

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-2b

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that notwithstanding any other provision of law, the Department of Healthcare and Family Services shall not require children made eligible for medical assistance through any home and community-based services waiver program for medically fragile and technology dependent children authorized under the Social Security Act to enroll in or transition to the State's managed care medical assistance program. Provides that any medically fragile and technology dependent child who is enrolled in the State's managed care medical assistance program on or before the effective date of the amendatory Act shall be given the option to disenroll from the State's managed care medical assistance program and receive medical assistance coverage under the State's traditional fee-for-service program.

LRB100 17508 KTG 32677 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 5-2b as follows:

6 (305 ILCS 5/5-2b)

7 Sec. 5-2b. Medically fragile and technology dependent  
8 children eligibility and program.

9 (a) Notwithstanding any other provision of law, on and  
10 after September 1, 2012, subject to federal approval, medical  
11 assistance under this Article shall be available to children  
12 who qualify as persons with a disability, as defined under the  
13 federal Supplemental Security Income program and who are  
14 medically fragile and technology dependent. The program shall  
15 allow eligible children to receive the medical assistance  
16 provided under this Article in the community and must maximize,  
17 to the fullest extent permissible under federal law, federal  
18 reimbursement and family cost-sharing, including co-pays,  
19 premiums, or any other family contributions, except that the  
20 Department shall be permitted to incentivize the utilization of  
21 selected services through the use of cost-sharing adjustments.  
22 The Department shall establish the policies, procedures,  
23 standards, services, and criteria for this program by rule.

1       (b) Notwithstanding any other provision of law, the  
2       Department shall not require children made eligible for medical  
3       assistance through any home and community-based services  
4       waiver program for medically fragile and technology dependent  
5       children authorized under Section 1915(c) of the Social  
6       Security Act to enroll in or transition to the State's managed  
7       care medical assistance program. Any medically fragile and  
8       technology dependent child who is enrolled in the State's  
9       managed care medical assistance program on or before the  
10       effective date of this amendatory Act of the 100th General  
11       Assembly shall be given the option to disenroll from the  
12       State's managed care medical assistance program and receive  
13       medical assistance coverage under the State's traditional  
14       fee-for-service program.

15       (Source: P.A. 97-689, eff. 6-14-12; 98-104, eff. 7-22-13.)