



Rep. Aaron M. Ortiz

Filed: 4/9/2019

10100HB0074ham001

LRB101 02959 KTG 59512 a

1 AMENDMENT TO HOUSE BILL 74

2 AMENDMENT NO. _____. Amend House Bill 74 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 adding Section 11-5.5 as follows:

6 (305 ILCS 5/11-5.5 new)

7 Sec. 11-5.5. Expedited long-term care eligibility
8 determinations for persons with intellectual or developmental
9 disabilities.

10 (a) The Department of Healthcare and Family Services shall
11 follow and implement the requirements and processes described
12 under Section 11-5.4 when making long-term care eligibility
13 determinations for persons with intellectual or developmental
14 disabilities.

15 (b) Subject to federal approval, the Department of
16 Healthcare and Family Services must implement an ex parte

1 renewal process for Medicaid-eligible individuals with an
2 intellectual or developmental disability. As used in this
3 Section, "renewal" has the same meaning as "redetermination" in
4 State policies, administrative rule, and federal Medicaid law.
5 The ex parte renewal process must be fully operational on or
6 before January 1, 2020.

7 (1) An individual is eligible for the ex parte renewal
8 process if the individual:

9 (A) has an intellectual or developmental
10 disability;

11 (B) has been determined Medicaid eligible;

12 (C) receives services:

13 (i) under the State's Home and Community-Based
14 Services Waiver Program for adults with
15 developmental disabilities;

16 (ii) under the State's Residential Waiver for
17 Children and Young Adults with Developmental
18 Disabilities;

19 (iii) under the State's Support Waiver for
20 Children and Young Adults with Developmental
21 Disabilities; or

22 (iv) at a facility licensed by the ID/DD
23 Community Care Act; and

24 (D) has received no transfer of assets or resources
25 during the federally prescribed look-back period as
26 specified by federal law, unless those resources are

1 deposited into an individual's Achieving a Better Life
2 Experience (ABLE) account and meet all requirements
3 thereof.

4 (2) The Department of Human Services must adopt
5 policies and procedures to improve communication between
6 local Family Community Resource Center personnel, the
7 Division of Developmental Disabilities pilot hub
8 personnel, applicants and their families or guardians, and
9 the provider organizations and independent service
10 coordination agencies serving and supporting the
11 applicants. Such policies and procedures must at a minimum
12 permit applicants and their representatives and the
13 facilities in which the applicants reside to speak directly
14 to an individual trained to take telephone inquiries and
15 provide appropriate responses.

16 (3) The Department of Human Services must use the
17 standards and distribution requirements described in
18 Section 11-5.4 and in Section 11-6 for notification of
19 missing supporting documents and information during the
20 renewal and appeal process.

21 (4) The Department of Human Services and the Department
22 of Healthcare and Family Services' Office of the Inspector
23 General shall follow the processes under Section 11-5.4
24 concerning the allowance of additional time for the
25 submission of information and documents needed for a review
26 of resources.

1 (5) Reporting requirements for the Department of Human
2 Services, the Department of Healthcare and Family
3 Services, and the Auditor General shall follow those
4 requirements under Section 11-5.4.

5 (6) The Department of Human Services and Department of
6 Healthcare and Family Services shall adopt any rules
7 necessary to administer and enforce any provision of this
8 Section.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".