



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0347

Introduced 1/29/2021, by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-19
410 ILCS 527/15

from Ch. 23, par. 5-19

Amends the Illinois Public Aid Code. Provides that, to ensure full access to the benefits set forth in provisions regarding the Healthy Kids Program, on and after January 1, 2022, the Department of Healthcare and Family Services shall ensure that provider and hospital reimbursements for immunization as required under the provisions are no lower than the Medicare reimbursement rate. Amends the Immunization Data Registry Act. Provides that health care providers, physician's designees, or pharmacist's designees shall (rather than may) provide immunization data to be entered into the immunization data registry. Removes language providing that the immunization data need not be provided if the patient or the patient's parent or guardian, if the patient is less than 18 years of age, has completed and filed with the provider, physician's designee, or pharmacist's designee a written immunization data exemption form. Provides that the written information and the immunization data exemption forms must include information that the health care provider shall (rather than may) report immunization data to the Department of Public Health to be entered into the immunization data registry. Effective January 1, 2022.

LRB102 10549 CPF 15878 b

1 AN ACT concerning health.

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 5-19 as follows:

6 (305 ILCS 5/5-19) (from Ch. 23, par. 5-19)

7 Sec. 5-19. Healthy Kids Program.

8 (a) Any child under the age of 21 eligible to receive
9 Medical Assistance from the Illinois Department under Article
10 V of this Code shall be eligible for Early and Periodic
11 Screening, Diagnosis and Treatment services provided by the
12 Healthy Kids Program of the Illinois Department under the
13 Social Security Act, 42 U.S.C. 1396d(r).

14 (b) Enrollment of Children in Medicaid. The Illinois
15 Department shall provide for receipt and initial processing of
16 applications for Medical Assistance for all pregnant women and
17 children under the age of 21 at locations in addition to those
18 used for processing applications for cash assistance,
19 including disproportionate share hospitals, federally
20 qualified health centers and other sites as selected by the
21 Illinois Department.

22 (c) Healthy Kids Examinations. The Illinois Department
23 shall consider any examination of a child eligible for the

1 Healthy Kids services provided by a medical provider meeting
2 the requirements and complying with the rules and regulations
3 of the Illinois Department to be reimbursed as a Healthy Kids
4 examination.

5 (d) Medical Screening Examinations.

6 (1) The Illinois Department shall insure Medicaid
7 coverage for periodic health, vision, hearing, and dental
8 screenings for children eligible for Healthy Kids services
9 scheduled from a child's birth up until the child turns 21
10 years. The Illinois Department shall pay for vision,
11 hearing, dental and health screening examinations for any
12 child eligible for Healthy Kids services by qualified
13 providers at intervals established by Department rules.

14 (2) The Illinois Department shall pay for an
15 interperiodic health, vision, hearing, or dental screening
16 examination for any child eligible for Healthy Kids
17 services whenever an examination is:

18 (A) requested by a child's parent, guardian, or
19 custodian, or is determined to be necessary or
20 appropriate by social services, developmental, health,
21 or educational personnel; or

22 (B) necessary for enrollment in school; or

23 (C) necessary for enrollment in a licensed day
24 care program, including Head Start; or

25 (D) necessary for placement in a licensed child
26 welfare facility, including a foster home, group home

1 or child care institution; or

2 (E) necessary for attendance at a camping program;

3 or

4 (F) necessary for participation in an organized
5 athletic program; or

6 (G) necessary for enrollment in an early childhood
7 education program recognized by the Illinois State
8 Board of Education; or

9 (H) necessary for participation in a Women,
10 Infant, and Children (WIC) program; or

11 (I) deemed appropriate by the Illinois Department.

12 (e) Minimum Screening Protocols For Periodic Health
13 Screening Examinations. Health Screening Examinations must
14 include the following services:

15 (1) Comprehensive Health and Development Assessment
16 including:

17 (A) Development/Mental Health/Psychosocial
18 Assessment; and

19 (B) Assessment of nutritional status including
20 tests for iron deficiency and anemia for children at
21 the following ages: 9 months, 2 years, 8 years, and 18
22 years;

23 (2) Comprehensive unclothed physical exam;

24 (3) Appropriate immunizations at a minimum, as
25 required by the Secretary of the U.S. Department of Health
26 and Human Services under 42 U.S.C. 1396d(r).

1 (4) Appropriate laboratory tests including blood lead
2 levels appropriate for age and risk factors.

3 (A) Anemia test.

4 (B) Sickle cell test.

5 (C) Tuberculin test at 12 months of age and every
6 1-2 years thereafter unless the treating health care
7 professional determines that testing is medically
8 contraindicated.

9 (D) Other -- The Illinois Department shall insure
10 that testing for HIV, drug exposure, and sexually
11 transmitted diseases is provided for as clinically
12 indicated.

13 (5) Health Education. The Illinois Department shall
14 require providers to provide anticipatory guidance as
15 recommended by the American Academy of Pediatrics.

16 (6) Vision Screening. The Illinois Department shall
17 require providers to provide vision screenings consistent
18 with those set forth in the Department of Public Health's
19 Administrative Rules.

20 (7) Hearing Screening. The Illinois Department shall
21 require providers to provide hearing screenings consistent
22 with those set forth in the Department of Public Health's
23 Administrative Rules.

24 (8) Dental Screening. The Illinois Department shall
25 require providers to provide dental screenings consistent
26 with those set forth in the Department of Public Health's

1 Administrative Rules.

2 (f) Covered Medical Services. The Illinois Department
3 shall provide coverage for all necessary health care,
4 diagnostic services, treatment and other measures to correct
5 or ameliorate defects, physical and mental illnesses, and
6 conditions whether discovered by the screening services or not
7 for all children eligible for Medical Assistance under Article
8 V of this Code.

9 (g) Notice of Healthy Kids Services.

10 (1) The Illinois Department shall inform any child
11 eligible for Healthy Kids services and the child's family
12 about the benefits provided under the Healthy Kids
13 Program, including, but not limited to, the following:
14 what services are available under Healthy Kids, including
15 discussion of the periodicity schedules and immunization
16 schedules, that services are provided at no cost to
17 eligible children, the benefits of preventive health care,
18 where the services are available, how to obtain them, and
19 that necessary transportation and scheduling assistance is
20 available.

21 (2) The Illinois Department shall widely disseminate
22 information regarding the availability of the Healthy Kids
23 Program throughout the State by outreach activities which
24 shall include, but not be limited to, (i) the development
25 of cooperation agreements with local school districts,
26 public health agencies, clinics, hospitals and other

1 health care providers, including developmental disability
2 and mental health providers, and with charities, to notify
3 the constituents of each of the Program and assist
4 individuals, as feasible, with applying for the Program,
5 (ii) using the media for public service announcements and
6 advertisements of the Program, and (iii) developing
7 posters advertising the Program for display in hospital
8 and clinic waiting rooms.

9 (3) The Illinois Department shall utilize accepted
10 methods for informing persons who are illiterate, blind,
11 deaf, or cannot understand the English language, including
12 but not limited to public services announcements and
13 advertisements in the foreign language media of radio,
14 television and newspapers.

15 (4) The Illinois Department shall provide notice of
16 the Healthy Kids Program to every child eligible for
17 Healthy Kids services and his or her family at the
18 following times:

19 (A) orally by the intake worker and in writing at
20 the time of application for Medical Assistance;

21 (B) at the time the applicant is informed that he
22 or she is eligible for Medical Assistance benefits;
23 and

24 (C) at least 20 days before the date of any
25 periodic health, vision, hearing, and dental
26 examination for any child eligible for Healthy Kids

1 services. Notice given under this subparagraph (C)
2 must state that a screening examination is due under
3 the periodicity schedules and must advise the eligible
4 child and his or her family that the Illinois
5 Department will provide assistance in scheduling an
6 appointment and arranging medical transportation.

7 (h) Data Collection. The Illinois Department shall collect
8 data in a usable form to track utilization of Healthy Kids
9 screening examinations by children eligible for Healthy Kids
10 services, including but not limited to data showing screening
11 examinations and immunizations received, a summary of
12 follow-up treatment received by children eligible for Healthy
13 Kids services and the number of children receiving dental,
14 hearing and vision services.

15 (i) On and after July 1, 2012, the Department shall reduce
16 any rate of reimbursement for services or other payments or
17 alter any methodologies authorized by this Code to reduce any
18 rate of reimbursement for services or other payments in
19 accordance with Section 5-5e.

20 (j) To ensure full access to the benefits set forth in this
21 Section, on and after January 1, 2022, the Illinois Department
22 shall ensure that provider and hospital reimbursements for
23 immunization as required under this Section are no lower than
24 the Medicare reimbursement rate.

25 (Source: P.A. 97-689, eff. 6-14-12.)

1 Section 10. The Immunization Data Registry Act is amended
2 by changing Section 15 as follows:

3 (410 ILCS 527/15)

4 Sec. 15. Provision of immunization data to registry;
5 exemption forms; written information on immunization registry.

6 (a) A health care provider, physician's designee, or
7 pharmacist's designee shall ~~may~~ provide immunization data to
8 be entered into the immunization data registry in a manner
9 prescribed by the Department and for the purposes allowed
10 under this Act ~~unless the patient or the patient's parent or~~
11 ~~guardian, if the patient is less than 18 years of age, has~~
12 ~~completed and filed with the provider, physician's designee,~~
13 ~~or pharmacist's designee a written immunization data exemption~~
14 ~~form.~~

15 (b) The Department shall create and provide copies of
16 immunization data exemption forms to health care providers who
17 are authorized to administer immunizations and individuals who
18 request the form. The forms shall also be accessible from the
19 immunization data registry system itself.

20 (c) The Department shall distribute to health care
21 providers, upon request, written information to be
22 disseminated to patients that describes the immunization data
23 registry. The written information and the immunization data
24 exemption forms must include all of the following information:

25 (1) A description of the immunization data registry

1 and its purpose.

2 (2) That the health care provider shall ~~may~~ report
3 immunization data to the Department to be entered into the
4 immunization data registry.

5 (3) That the patient or the patient's parent or
6 guardian, if the patient is less than 18 years of age, has
7 a right to exempt disclosure of immunization data to the
8 registry and may prevent disclosure by signing an
9 immunization data exemption form.

10 (4) That the patient or the patient's parent or
11 guardian, if the patient is less than 18 years of age, may
12 have the individual's information removed from the
13 immunization data registry.

14 (5) Instructions on how to have the information
15 removed.

16 (Source: P.A. 97-117, eff. 7-14-11.)

17 Section 99. Effective date. This Act takes effect January
18 1, 2022.