



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB2437

Introduced 2/19/2021, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/6-11

from Ch. 23, par. 6-11

Amends the Illinois Public Aid Code. Reinststitutes State funded General Assistance to provide a program for adults with no children to be known as State Transitional Assistance and a program for families with children and for pregnant women to be known as State Family and Children Assistance. Sets forth eligibility requirements for State Transitional Assistance including that an individual must be ineligible for Aid to the Aged, Blind, or Disabled (AABD) benefits and Temporary Assistance for Needy Families (TANF) benefits and must be age 18 or over or married and living with a spouse, regardless of age. Provides that persons who are too impaired to work but do not have a disability that meets the disability level to qualify for Supplemental Security Income or have substantial barriers to being employable shall be considered chronically needy and eligible for State Transitional Assistance. Sets forth other criteria for determining whether an individual is chronically needy. Sets forth the eligibility requirements under the State Family and Children Assistance program including that a family unit must be ineligible for AABD and TANF and must contain a child under the age of 18 or a child age 18 who is a full-time student. Provides that a conviction for a drug-related felony shall not disqualify an applicant for assistance under either program and that, subject to federal approval, the assistance amount provided under either program shall not be considered income for purposes of determining eligibility under the Supplemental Nutrition Assistance Program. Effective immediately.

LRB102 16069 KTG 21441 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 6-11 as follows:

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

7 Sec. 6-11. State funded General Assistance.

8 (a) All State funded General Assistance shall be governed  
9 by this Section. Other parts of this Code or other laws related  
10 to General Assistance shall remain in effect to the extent  
11 they do not conflict with the provisions of this Section. If  
12 any other part of this Code or other laws of this State  
13 conflict with the provisions of this Section, the provisions  
14 of this Section shall control. General assistance programs in  
15 local governmental units that do not receive State funds shall  
16 continue to be governed by Sections 6-1 through 6-10, as  
17 applicable, as well as other relevant parts of this Code and  
18 other laws.

19 (b) State funded General Assistance shall consist of 2  
20 separate programs. One program shall be for adults with no  
21 children and shall be known as State Transitional Assistance.  
22 The other program shall be for families with children and for  
23 pregnant women and shall be known as State Family and Children

1 Assistance.

2 (c)(1) To be eligible for State Transitional Assistance,  
3 an individual must be ineligible for assistance under Articles  
4 III and IV and must be one of the following:

5 (A) age 18 or over; or

6 (B) married and living with a spouse, regardless of  
7 age.

8 (2) The Illinois Department or local governmental unit  
9 shall determine whether individuals under State Transitional  
10 Assistance are chronically needy. Individuals shall be  
11 considered chronically needy if they are too impaired to work  
12 but do not have a disability that meets the disability level to  
13 qualify for Supplemental Security Income or have substantial  
14 barriers to being employable. The Illinois Department shall by  
15 rule specify the criteria for determining whether an  
16 individual is chronically needy. The criteria shall, at a  
17 minimum, include the following:

18 (A) The individual has a serious physical or mental  
19 disability which significantly restricts an individual  
20 from working.

21 (B) The individual is over age 50 and has no high  
22 school diploma or high school equivalency certificate and  
23 no sustained employment history.

24 (C) The individual is needed to provide care for  
25 another person in the household.

26 (D) The individual suffers from an addictive drug or

1 alcohol abuse problem.

2 (E) The individual is homeless as defined by the  
3 Illinois Department in rules.

4 (3) Individuals in State Transitional Assistance who are  
5 determined to be chronically needy shall not be determined  
6 ineligible for State Transitional Assistance based upon a  
7 conviction for any drug-related felony under State or federal  
8 law.

9 (4) Subject to federal approval, the State Transitional  
10 Assistance provided under this Section shall not be considered  
11 income for purposes of determining eligibility or the amount  
12 of assistance for benefits provided under the Supplemental  
13 Nutrition Assistance Program.

14 (5) Individuals in State Transitional Assistance who are  
15 determined to be chronically needy shall be entitled to  
16 receive medical assistance as provided under paragraph 18 of  
17 Section 5-2. Notwithstanding any other law to the contrary,  
18 individuals in State Transitional Assistance who are eligible  
19 for medical assistance, including pharmacy services, shall be  
20 enrolled in the State's traditional fee-for-service medical  
21 assistance program and shall be permitted to obtain pharmacy  
22 services from the pharmacy of their choice if the pharmacy is  
23 licensed under the Pharmacy Practice Act.

24 (6) For individuals in State Transitional Assistance  
25 determined not to be chronically needy, State Transitional  
26 Assistance shall be available for only 9 months in the fiscal

1 year beginning July 1, 2021 and only 6 months out of any 12  
2 consecutive month period beginning July 1, 2022.

3 (7) The Illinois Department shall determine, by rule,  
4 those State Transitional Assistance recipients who shall be  
5 subject to employment, training, or education programs, the  
6 content of those programs, and the penalties for failure to  
7 cooperate in those programs.

8 (8) The Illinois Department shall, by rule, establish  
9 further eligibility requirements, including, but not limited  
10 to, residence, need, and the level of payments.

11 (d)(1) To be eligible for State Family and Children  
12 Assistance, a family unit must be ineligible for assistance  
13 under Articles III and IV and must contain a child who is:

14 (A) under age 18; or

15 (B) age 18 and a full-time student in a secondary  
16 school or the equivalent level of vocational or technical  
17 training, and who may reasonably be expected to complete  
18 the program before reaching age 19.

19 Those children shall be eligible for State Family and  
20 Children Assistance.

21 (2) The natural or adoptive parents of the child living in  
22 the same household may be eligible for State Family and  
23 Children Assistance.

24 (3) A pregnant woman whose pregnancy has been verified  
25 shall be eligible for income maintenance assistance under the  
26 State Family and Children Assistance program.

1       (4) Individuals who otherwise meet the eligibility  
2 requirements of this subsection shall not be determined  
3 ineligible for State Family and Children Assistance based upon  
4 a conviction for any drug-related felony under State or  
5 federal law.

6       (5) Subject to federal approval, the State Family and  
7 Children Assistance provided under this Section shall not be  
8 considered income for purposes of determining eligibility or  
9 the amount of assistance for benefits provided under the  
10 Supplemental Nutrition Assistance Program.

11       (6) Individuals in State Family and Children Assistance  
12 shall be entitled to receive medical assistance as provided  
13 under Article V. Notwithstanding any other law to the  
14 contrary, individuals in State Family and Children Assistance  
15 who are eligible for medical assistance, including pharmacy  
16 services, shall be enrolled in the State's traditional  
17 fee-for-service medical assistance program and shall be  
18 permitted to obtain pharmacy services from the pharmacy of  
19 their choice if the pharmacy is licensed under the Pharmacy  
20 Practice Act.

21       (7) The Illinois Department shall, by rule, establish  
22 further eligibility requirements, including, but not limited  
23 to, residence, need, and the level of payments.

24       (e) A local governmental unit that chooses to participate  
25 in a General Assistance program under this Section shall  
26 provide funding in accordance with Section 12-21.3.

1       (f) In order to qualify for State funding under this  
2       Section, a local governmental unit shall be subject to the  
3       supervision and the rules and regulations of the Illinois  
4       Department.

5       (g) Individuals receiving General Assistance, who qualify  
6       for the State Transitional Assistance program under this  
7       Section and are subsequently determined not to be chronically  
8       needy shall be eligible for grant assistance for only 9 months  
9       in the fiscal year beginning July 1, 2021 and only 6 months out  
10       of any 12 consecutive month period beginning July 1, 2022.

11       ~~(a) Effective July 1, 1992, all State funded General~~  
12       ~~Assistance and related medical benefits shall be governed by~~  
13       ~~this Section, provided that, notwithstanding any other~~  
14       ~~provisions of this Code to the contrary, on and after July 1,~~  
15       ~~2012, the State shall not fund the programs outlined in this~~  
16       ~~Section. Other parts of this Code or other laws related to~~  
17       ~~General Assistance shall remain in effect to the extent they~~  
18       ~~do not conflict with the provisions of this Section. If any~~  
19       ~~other part of this Code or other laws of this State conflict~~  
20       ~~with the provisions of this Section, the provisions of this~~  
21       ~~Section shall control.~~

22       ~~(b) General Assistance may consist of 2 separate programs.~~  
23       ~~One program shall be for adults with no children and shall be~~  
24       ~~known as Transitional Assistance. The other program may be for~~  
25       ~~families with children and for pregnant women and shall be~~  
26       ~~known as Family and Children Assistance.~~

1       ~~(e) (1) To be eligible for Transitional Assistance on or~~  
2 ~~after July 1, 1992, an individual must be ineligible for~~  
3 ~~assistance under any other Article of this Code, must be~~  
4 ~~determined chronically needy, and must be one of the~~  
5 ~~following:~~

6           ~~(A) age 18 or over or~~

7           ~~(B) married and living with a spouse, regardless of~~  
8 ~~age.~~

9       ~~(2) The local governmental unit shall determine whether~~  
10 ~~individuals are chronically needy as follows:~~

11           ~~(A) Individuals who have applied for Supplemental~~  
12 ~~Security Income (SSI) and are awaiting a decision on~~  
13 ~~eligibility for SSI who are determined to be a person with~~  
14 ~~a disability by the Illinois Department using the SSI~~  
15 ~~standard shall be considered chronically needy, except~~  
16 ~~that individuals whose disability is based solely on~~  
17 ~~substance use disorders and whose disability would cease~~  
18 ~~were their addictions to end shall be eligible only for~~  
19 ~~medical assistance and shall not be eligible for cash~~  
20 ~~assistance under the Transitional Assistance program.~~

21           ~~(B) (Blank).~~

22           ~~(C) The unit of local government may specify other~~  
23 ~~categories of individuals as chronically needy; nothing in~~  
24 ~~this Section, however, shall be deemed to require the~~  
25 ~~inclusion of any specific category other than as specified~~  
26 ~~in paragraph (A).~~



1       ~~(3) For individuals in Transitional Assistance, medical~~  
2 ~~assistance may be provided by the unit of local government in~~  
3 ~~an amount and nature determined by the unit of local~~  
4 ~~government. Nothing in this paragraph (3) shall be construed~~  
5 ~~to require the coverage of any particular medical service. In~~  
6 ~~addition, the amount and nature of medical assistance provided~~  
7 ~~may be different for different categories of individuals~~  
8 ~~determined chronically needy.~~

9       ~~(4) (Blank).~~

10       ~~(5) (Blank).~~

11       ~~(d) (1) To be eligible for Family and Children Assistance,~~  
12 ~~a family unit must be ineligible for assistance under any~~  
13 ~~other Article of this Code and must contain a child who is:~~

14           ~~(A) under age 18 or~~

15           ~~(B) age 18 and a full-time student in a secondary~~  
16 ~~school or the equivalent level of vocational or technical~~  
17 ~~training, and who may reasonably be expected to complete~~  
18 ~~the program before reaching age 19.~~

19       ~~Those children shall be eligible for Family and Children~~  
20 ~~Assistance.~~

21       ~~(2) The natural or adoptive parents of the child living in~~  
22 ~~the same household may be eligible for Family and Children~~  
23 ~~Assistance.~~

24       ~~(3) A pregnant woman whose pregnancy has been verified~~  
25 ~~shall be eligible for income maintenance assistance under the~~  
26 ~~Family and Children Assistance program.~~

1       ~~(4) The amount and nature of medical assistance provided~~  
2       ~~under the Family and Children Assistance program shall be~~  
3       ~~determined by the unit of local government. The amount and~~  
4       ~~nature of medical assistance provided need not be the same as~~  
5       ~~that provided under paragraph (3) of subsection (c) of this~~  
6       ~~Section, and nothing in this paragraph (4) shall be construed~~  
7       ~~to require the coverage of any particular medical service.~~

8       ~~(5) (Blank).~~

9       ~~(e) A local governmental unit that chooses to participate~~  
10       ~~in a General Assistance program under this Section shall~~  
11       ~~provide funding in accordance with Section 12-21.13 of this~~  
12       ~~Act. Local governmental funds used to qualify for State~~  
13       ~~funding may only be expended for clients eligible for~~  
14       ~~assistance under this Section 6-11 and related administrative~~  
15       ~~expenses.~~

16       ~~(f) (Blank).~~

17       ~~(g) (Blank).~~

18       (Source: P.A. 99-143, eff. 7-27-15; 100-759, eff. 1-1-19.)

19       Section 99. Effective date. This Act takes effect upon  
20       becoming law.