



Sen. Karina Villa

Filed: 2/7/2022

10200SB3450sam001

LRB102 24264 KTG 35876 a

1 AMENDMENT TO SENATE BILL 3450

2 AMENDMENT NO. _____. Amend Senate Bill 3450 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 12-4.35 as follows:

6 (305 ILCS 5/12-4.35)

7 Sec. 12-4.35. Medical services for certain noncitizens.

8 (a) Notwithstanding Section 1-11 of this Code or Section
9 20(a) of the Children's Health Insurance Program Act, the
10 Department of Healthcare and Family Services may provide
11 medical services to noncitizens who have not yet attained 19
12 years of age and who are not eligible for medical assistance
13 under Article V of this Code or under the Children's Health
14 Insurance Program created by the Children's Health Insurance
15 Program Act due to their not meeting the otherwise applicable
16 provisions of Section 1-11 of this Code or Section 20(a) of the

1 Children's Health Insurance Program Act. The medical services
2 available, standards for eligibility, and other conditions of
3 participation under this Section shall be established by rule
4 by the Department; however, any such rule shall be at least as
5 restrictive as the rules for medical assistance under Article
6 V of this Code or the Children's Health Insurance Program
7 created by the Children's Health Insurance Program Act.

8 (a-5) Notwithstanding Section 1-11 of this Code, the
9 Department of Healthcare and Family Services may provide
10 medical assistance in accordance with Article V of this Code
11 to noncitizens over the age of 65 years of age who are not
12 eligible for medical assistance under Article V of this Code
13 due to their not meeting the otherwise applicable provisions
14 of Section 1-11 of this Code, whose income is at or below 100%
15 of the federal poverty level after deducting the costs of
16 medical or other remedial care, and who would otherwise meet
17 the eligibility requirements in Section 5-2 of this Code. The
18 medical services available, standards for eligibility, and
19 other conditions of participation under this Section shall be
20 established by rule by the Department; however, any such rule
21 shall be at least as restrictive as the rules for medical
22 assistance under Article V of this Code.

23 (a-6) By May 30, 2022, notwithstanding Section 1-11 of
24 this Code, the Department of Healthcare and Family Services
25 may provide medical services to noncitizens 55 years of age
26 through 64 years of age who (i) are not eligible for medical

1 assistance under Article V of this Code due to their not
2 meeting the otherwise applicable provisions of Section 1-11 of
3 this Code and (ii) have income at or below 133% of the federal
4 poverty level plus 5% for the applicable family size as
5 determined under applicable federal law and regulations.
6 Persons eligible for medical services under Public Act 102-16
7 ~~this amendatory Act of the 102nd General Assembly~~ shall
8 receive benefits identical to the benefits provided under the
9 Health Benefits Service Package as that term is defined in
10 subsection (m) of Section 5-1.1 of this Code.

11 (a-7) Notwithstanding Section 1-11 of this Code, the
12 Department of Healthcare and Family Services may provide
13 medical services to noncitizens who meet the definition of
14 "person with a disability" under Section 3.14 of the Senior
15 Citizens and Persons with Disabilities Property Tax Relief Act
16 and who (i) are not eligible for medical assistance under
17 Article V of this Code due to their not meeting the otherwise
18 applicable provisions of Section 1-11 of this Code and (ii)
19 have income at or below 133% of the federal poverty level plus
20 5% for the applicable family size as determined under
21 applicable federal law and regulations. Persons eligible for
22 medical services under this amendatory Act of the 102nd
23 General Assembly shall receive benefits identical to the
24 benefits provided under the Health Benefits Service Package as
25 that term is defined in subsection (m) of Section 5-1.1 of this
26 Code.

1 (a-10) Notwithstanding the provisions of Section 1-11, the
2 Department shall cover immunosuppressive drugs and related
3 services associated with post-kidney transplant management,
4 excluding long-term care costs, for noncitizens who: (i) are
5 not eligible for comprehensive medical benefits; (ii) meet the
6 residency requirements of Section 5-3; and (iii) would meet
7 the financial eligibility requirements of Section 5-2.

8 (b) The Department is authorized to take any action that
9 would not otherwise be prohibited by applicable law,
10 including, without limitation, cessation or limitation of
11 enrollment, reduction of available medical services, and
12 changing standards for eligibility, that is deemed necessary
13 by the Department during a State fiscal year to assure that
14 payments under this Section do not exceed available funds.

15 (c) (Blank).

16 (d) (Blank).

17 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
18 102-43, Article 25, Section 25-15, eff. 7-6-21; 102-43,
19 Article 45, Section 45-5, eff. 7-6-21; revised 7-15-21.)".