

HB2226



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2226

Introduced 2/8/2023, by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

305 ILCS 5/6-1.3	from Ch. 23, par. 6-1.3
305 ILCS 5/6-11	from Ch. 23, par. 6-11

Amends the General Assistance Article of the Illinois Public Aid Code. Removes language providing that a person must be ineligible for medical assistance to qualify for general assistance.

LRB103 24879 KTG 51212 b

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 Sections 6-1.3 and 6-11 as follows:

6 (305 ILCS 5/6-1.3) (from Ch. 23, par. 6-1.3)

7 Sec. 6-1.3. Utilization of aid available under other
8 provisions of Code. The person must have been determined
9 ineligible for aid under the federally funded programs to aid
10 refugees and Article ~~Articles~~ III or ~~IV~~ ~~or V~~. Nothing in this
11 Section shall prevent the use of General Assistance funds to
12 pay any portion of the costs of care and maintenance in a
13 residential substance use disorder treatment program licensed
14 by the Department of Human Services, or in a County Nursing
15 Home, or in a private nursing home, retirement home or other
16 facility for the care of the elderly, of a person otherwise
17 eligible to receive General Assistance except for the
18 provisions of this paragraph.

19 A person otherwise eligible for aid under the federally
20 funded programs to aid refugees or Article ~~Articles~~ III or ~~IV~~
21 ~~or V~~ who fails or refuses to comply with provisions of this
22 Code or other laws, or rules and regulations of the Illinois
23 Department, which would qualify him for aid under those

1 programs or Articles, shall not receive General Assistance
2 under this Article nor shall any of his dependents whose
3 eligibility is contingent upon such compliance receive General
4 Assistance.

5 Persons and families who are ineligible for aid under
6 Article IV due to having received benefits under Article IV
7 for any maximum time limits set under the Illinois Temporary
8 Assistance for Needy Families (TANF) Plan shall not be
9 eligible for General Assistance under this Article unless the
10 Illinois Department or the local governmental unit, by rule,
11 specifies that those persons or families may be eligible.

12 (Source: P.A. 100-759, eff. 1-1-19; 100-863, eff. 8-14-18.)

13 (305 ILCS 5/6-11) (from Ch. 23, par. 6-11)

14 Sec. 6-11. General Assistance.

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

1 (b) General Assistance may consist of 2 separate programs.
2 One program shall be for adults with no children and shall be
3 known as Transitional Assistance. The other program may be for
4 families with children and for pregnant women and shall be
5 known as Family and Children Assistance.

6 (c) (1) To be eligible for Transitional Assistance on or
7 after July 1, 1992, an individual must be ineligible for
8 assistance under any other Article, except Article V, of this
9 Code, must be determined chronically needy, and must be one of
10 the following:

11 (A) age 18 or over or

12 (B) married and living with a spouse, regardless of
13 age.

14 (2) The local governmental unit shall determine whether
15 individuals are chronically needy as follows:

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

26 (B) (Blank).

1 (C) The unit of local government may specify other
2 categories of individuals as chronically needy; nothing in
3 this Section, however, shall be deemed to require the
4 inclusion of any specific category other than as specified
5 in paragraph (A).

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

14 (4) (Blank).

15 (5) (Blank).

16 (d) (1) To be eligible for Family and Children Assistance,
17 a family unit must be ineligible for assistance under any
18 other Article, except Article V, of this Code and must contain
19 a child who is:

20 (A) under age 18 or

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

25 Those children shall be eligible for Family and Children
26 Assistance.

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

4 (3) A pregnant woman whose pregnancy has been verified
5 shall be eligible for income maintenance assistance under the
6 Family and Children Assistance program.

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

14 (5) (Blank).

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

22 (f) (Blank).

23 (g) (Blank).

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