



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3900

Introduced 2/17/2023, by Rep. Lindsey LaPointe

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-47 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services, in collaboration with the Department of Human Services' Division of Mental Health, to allow for hospital presumptive eligibility for medical assistance for individuals presenting in hospital emergency rooms who are in a psychiatric crisis and meet the federal criteria for hospital presumptive eligibility. Requires the Department and the Division of Mental Health, with meaningful stakeholder input, to develop a process by which those individuals are referred to a community-based mental health provider, or any other appropriate organization, to facilitate enrollment in the medical assistance program immediately following hospital or emergency room discharge and a referral for community-based treatment. Provides that if the Department's Illinois Continuity of Care and Administrative Simplification 1115 Waiver, which includes waiving the federal requirement of hospital presumptive eligibility for medical assistance, is required to be amended to implement the amendatory Act, then the Department shall amend the 1115 Waiver within 60 days after the effective date of the amendatory Act.

LRB103 29922 KTG 56335 b

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 adding Section 5-47 as follows:

6 (305 ILCS 5/5-47 new)

7 Sec. 5-47. Hospital presumptive eligibility; behavioral
8 health hospitalizations. The Department of Healthcare and
9 Family Services, in collaboration with the Department of Human
10 Services' Division of Mental Health, shall allow for hospital
11 presumptive eligibility for medical assistance for individuals
12 presenting in hospital emergency rooms who are in a
13 psychiatric crisis and meet the federal criteria for hospital
14 presumptive eligibility. The Department and the Division of
15 Mental Health, with meaningful stakeholder input, shall
16 develop a process by which those individuals are referred to a
17 community-based mental health provider, or any other
18 appropriate organization, to facilitate enrollment in the
19 medical assistance program immediately following hospital or
20 emergency room discharge and a referral for community-based
21 treatment. If the Department's Illinois Continuity of Care and
22 Administrative Simplification 1115 Waiver, which includes
23 waiving the federal requirement of hospital presumptive

1 eligibility for medical assistance, is required to be amended
2 to implement this Section, then the Department shall amend the
3 1115 Waiver within 60 days after the effective date of this
4 amendatory Act of the 103rd General Assembly.