

1 AN ACT concerning children's health.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Children's Health Insurance Program Act
5 is amended by changing Section 20 as follows:

6 (215 ILCS 106/20)

7 (Section scheduled to be repealed on July 1, 2003)

8 Sec. 20. Eligibility.

9 (a) To be eligible for this Program, a person must be a
10 person who has a child eligible under this Act and who is
11 eligible under a waiver of federal requirements pursuant to
12 an application made pursuant to subdivision (a)(1) of Section
13 40 of this Act or who is a child who is:

14 (1) is a child who is not eligible for medical
15 assistance;

16 (2) is a child whose annual household income, as
17 determined by the Department, is above 133% of the
18 federal poverty level and at or below 185% of the federal
19 poverty level;

20 (3) is a resident of the State of Illinois; and

21 (4) is a child who is either a United States
22 citizen or included in one of the following categories of
23 non-citizens:

24 (A) unmarried dependent children of either a
25 United States Veteran honorably discharged or a
26 person on active military duty;

27 (B) refugees under Section 207 of the
28 Immigration and Nationality Act;

29 (C) asylees under Section 208 of the
30 Immigration and Nationality Act;

31 (D) persons for whom deportation has been

1 withheld under Section 243(h) of the Immigration
2 and Nationality Act;

3 (E) persons granted conditional entry under
4 Section 203(a)(7) of the Immigration and Nationality
5 Act as in effect prior to April 1, 1980;

6 (F) persons lawfully admitted for permanent
7 residence under the Immigration and Nationality Act;
8 and

9 (G) parolees, for at least one year, under
10 Section 212(d)(5) of the Immigration and Nationality
11 Act.

12 Those children who are in the categories set forth in
13 subdivisions (4)(F) and (4)(G) of this subsection, who enter
14 the United States on or after August 22, 1996, shall not be
15 eligible for 5 years beginning on the date the child entered
16 the United States.

17 (b) A child who is determined to be eligible for
18 assistance may remain eligible for 12 months, provided the
19 child maintains his or her residence in the State, has not
20 yet attained 19 years of age, and is not excluded pursuant to
21 subsection (c). A child who has been determined to be
22 eligible for assistance must reapply or otherwise establish
23 eligibility at least annually. An eligible child shall be
24 required, as determined by the Department by rule, to report
25 promptly those changes in income and other circumstances that
26 affect eligibility. The eligibility of a child may be
27 redetermined based on the information reported or may be
28 terminated based on the failure to report or failure to
29 report accurately. A child's responsible relative or
30 caretaker may also be held liable to the Department for any
31 payments made by the Department on such child's behalf that
32 were inappropriate. An applicant shall be provided with
33 notice of these obligations.

34 (c) A child shall not be eligible for coverage under

1 this Program if:

2 (1) the premium required pursuant to Section 30 of
3 this Act has not been paid. If the required premiums are
4 not paid the liability of the Program shall be limited to
5 benefits incurred under the Program for the time period
6 for which premiums had been paid. If the required
7 monthly premium is not paid, the child shall be
8 ineligible for re-enrollment for a minimum period of 3
9 months. Re-enrollment shall be completed prior to the
10 next covered medical visit and the first month's required
11 premium shall be paid in advance of the next covered
12 medical visit. The Department shall promulgate rules
13 regarding grace periods, notice requirements, and hearing
14 procedures pursuant to this subsection;

15 (2) the child is an inmate of a public institution
16 or a patient in an institution for mental diseases; or

17 (3) the child is a member of a family that is
18 eligible for health benefits covered under the State of
19 Illinois health benefits plan on the basis of a member's
20 employment with a public agency.

21 (Source: P.A. 92-597, eff. 6-28-02.)