



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Patricia Reid Lindner - Angelo Saviano
- Elizabeth Coulson - Patricia R. Bellock, Sidney H. Mathias,
et al.

SYNOPSIS AS INTRODUCED:

215 ILCS 106/40

Amends the Children's Health Insurance Program Act. Requires the Department of Public Aid to request any necessary waivers of federal requirements in order to allow receipt of federal funding for screening for mental illness in at-risk children, including but not limited to homeless youth, juvenile offenders, and those with special health needs who might not otherwise be eligible under this Act. Effective immediately.

LRB093 19954 AMC 45698 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning insurance.

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 is
5 amended by changing Section 40 as follows:

6 (215 ILCS 106/40)

7 Sec. 40. Waivers.

8 (a) The Department shall request any necessary waivers of
9 federal requirements in order to allow receipt of federal
10 funding for:

11 (1) the coverage of families with eligible children
12 under this Act; ~~and~~

13 (2) ~~for~~ the coverage of children who would otherwise be
14 eligible under this Act, but who have health insurance; i
15 and-

16 (3) screening for mental illness in at-risk children,
17 including but not limited to homeless youth, juvenile
18 offenders, and those with special health needs who might
19 not otherwise be eligible under this Act.

20 The Department must seek the waiver under item (3) of this
21 subsection no later than July 1, 2004.

22 (b) The failure of the responsible federal agency to
23 approve a waiver for children who would otherwise be eligible
24 under this Act but who have health insurance shall not prevent
25 the implementation of any Section of this Act provided that
26 there are sufficient appropriated funds.

27 (c) Eligibility of a person under an approved waiver due to
28 the relationship with a child pursuant to Article V of the
29 Illinois Public Aid Code or this Act shall be limited to such a
30 person whose countable income is determined by the Department
31 to be at or below such income eligibility standard as the
32 Department by rule shall establish. The income level

1 established by the Department shall not be below 90% of the
2 federal poverty level. Such persons who are determined to be
3 eligible must reapply, or otherwise establish eligibility, at
4 least annually. An eligible person shall be required, as
5 determined by the Department by rule, to report promptly those
6 changes in income and other circumstances that affect
7 eligibility. The eligibility of a person may be redetermined
8 based on the information reported or may be terminated based on
9 the failure to report or failure to report accurately. A person
10 may also be held liable to the Department for any payments made
11 by the Department on such person's behalf that were
12 inappropriate. An applicant shall be provided with notice of
13 these obligations.

14 (Source: P.A. 92-597, eff. 6-28-02; 93-63, eff. 6-30-03.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.