

1 AN ACT concerning the children's health insurance  
2 program.

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

5 Section 5. The Children's Health Insurance Program Act  
6 is amended by changing Sections 20 and 97 as follows:

7 (215 ILCS 106/20)

8 (Section scheduled to be repealed on July 1, 2003)

9 Sec. 20. Eligibility.

10 (a) To be eligible for this Program, a person must be a  
11 person who has a child eligible under this Act and who is  
12 eligible under a waiver of federal requirements pursuant to  
13 an application made pursuant to subdivision (a)(1) of Section  
14 40 of this Act or who is a child who:

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

17 (2) is a child whose annual household income, as  
18 determined by the Department, is above 133% of the  
19 federal poverty level and at or below 200% ~~185%~~ of the  
20 federal poverty level;

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

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

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

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

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

1 (D) persons for whom deportation has been  
2 withheld under Section 243(h) of the Immigration  
3 and Nationality Act;

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

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

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

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

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

1 (c) A child shall not be eligible for coverage under  
2 this Program if:

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

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

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

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

23 (215 ILCS 106/97)

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

25 Sec. 97. Repealer. This Act is repealed on July 1, 2006  
26 2003.

27 (Source: P.A. 91-712, eff. 7-1-00; 92-597, eff. 6-28-02.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.