



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/4/2004, by Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

215 ILCS 106/20

Amends the Children's Health Insurance Program Act. Makes technical changes in a Section concerning eligibility for the program.

LRB093 20436 SAS 46219 b

1 AN ACT in relation to 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 20 as follows:

6 (215 ILCS 106/20)

7 Sec. 20. Eligibility.

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

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

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

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

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

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

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

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

30 (D) persons for whom deportation has been withheld
31 under Section 243(h) of the Immigration and
32 Nationality Act;

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

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

7 (G) parolees, for at least one year, under Section
8 212(d)(5) of the Immigration and Nationality Act.

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

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

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

32 (1) the premium required pursuant to Section 30 of this
33 Act has not been paid. If the required premiums are not
34 paid the liability of the Program shall be limited to
35 benefits incurred under the Program for the time period for
36 which premiums had been paid. If the required monthly

1 premium is not paid, the child shall be ineligible for
2 re-enrollment for a minimum period of 3 months.
3 Re-enrollment shall be completed prior to the next covered
4 medical visit and the first month's required premium shall
5 be paid in advance of the next covered medical visit. The
6 Department shall promulgate rules regarding grace periods,
7 notice requirements, and hearing procedures pursuant to
8 this subsection;

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

11 (3) the child is a member of a family that is eligible
12 for health benefits covered under the State of Illinois
13 health benefits plan on the basis of a member's employment
14 with a public agency.

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