



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB3397

Introduced 2/26/2007, by Rep. William Davis - David E. Miller

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/25

from Ch. 127, par. 161

Amends the State Finance Act. Provides that certain payments for medical and child care services may be paid out of appropriations for those purposes for a fiscal year if the services were rendered in that fiscal year (now, without regard to the fiscal year in which rendered). Allows payment during a 4-month lapse period after the end of the fiscal year. Effective July 1, 2008.

LRB095 10050 RCE 30264 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing  
5 Section 25 as follows:

6 (30 ILCS 105/25) (from Ch. 127, par. 161)

7 Sec. 25. Fiscal year limitations.

8 (a) All appropriations shall be available for expenditure  
9 for the fiscal year or for a lesser period if the Act making  
10 that appropriation so specifies. A deficiency or emergency  
11 appropriation shall be available for expenditure only through  
12 June 30 of the year when the Act making that appropriation is  
13 enacted unless that Act otherwise provides.

14 (b) Outstanding liabilities as of June 30, payable from  
15 appropriations which have otherwise expired, may be paid out of  
16 the expiring appropriations during the 2-month period ending at  
17 the close of business on August 31, except as otherwise  
18 provided in this Section. Any service involving professional or  
19 artistic skills or any personal services by an employee whose  
20 compensation is subject to income tax withholding must be  
21 performed as of June 30 of the fiscal year in order to be  
22 considered an "outstanding liability as of June 30" that is  
23 thereby eligible for payment out of the expiring appropriation.

1           However, payment of tuition reimbursement claims under  
2 Section 14-7.03 or 18-3 of the School Code may be made by the  
3 State Board of Education from its appropriations for those  
4 respective purposes for any fiscal year, even though the claims  
5 reimbursed by the payment may be claims attributable to a prior  
6 fiscal year, and payments may be made at the direction of the  
7 State Superintendent of Education from the fund from which the  
8 appropriation is made without regard to any fiscal year  
9 limitations.

10           Medical payments for services rendered during the fiscal  
11 year may be made by the Department of Veterans' Affairs, from  
12 its appropriations for those purposes for that any fiscal year,  
13 out of the expiring appropriations during the 4-month period  
14 ending at the close of business on October 31 ~~, without regard~~  
15 ~~to the fact that the medical services being compensated for by~~  
16 ~~such payment may have been rendered in a prior fiscal year.~~

17           Medical payments for services rendered during the fiscal  
18 year may be made by the Department of Healthcare and Family  
19 Services ~~Public Aid~~ and medical payments for services rendered  
20 during the fiscal year and child care payments for services  
21 rendered during the fiscal year may be made by the Department  
22 of Human Services (as successor to the Department of Public  
23 Aid), from appropriations for those purposes for that any  
24 fiscal year, out of the expiring appropriations during the  
25 4-month period ending at the close of business on October 31 ~~,~~  
26 ~~without regard to the fact that the medical or child care~~

1 ~~services being compensated for by such payment may have been~~  
2 ~~rendered in a prior fiscal year;~~ and payments may be made for  
3 services rendered during the fiscal year at the direction of  
4 the Department of Central Management Services from the Health  
5 Insurance Reserve Fund and the Local Government Health  
6 Insurance Reserve Fund, from appropriations for those purposes  
7 for that fiscal year, out of the expiring appropriations during  
8 the 4-month period ending at the close of business on October  
9 31 ~~without regard to any fiscal year limitations.~~

10 Medical payments for services rendered during the fiscal  
11 year may be made by the Department of Human Services, from its  
12 appropriations relating to substance abuse treatment services  
13 for that any fiscal year, out of the expiring appropriations  
14 during the 4-month period ending at the close of business on  
15 October 31 , ~~without regard to the fact that the medical~~  
16 ~~services being compensated for by such payment may have been~~  
17 ~~rendered in a prior fiscal year,~~ provided the payments are made  
18 on a fee-for-service basis consistent with requirements  
19 established for Medicaid reimbursement by the Department of  
20 Healthcare and Family Services ~~Public Aid.~~

21 Additionally, payments may be made by the Department of  
22 Human Services from its appropriations, or any other State  
23 agency from its appropriations with the approval of the  
24 Department of Human Services, from the Immigration Reform and  
25 Control Fund for purposes authorized pursuant to the  
26 Immigration Reform and Control Act of 1986, without regard to

1 any fiscal year limitations.

2 Further, with respect to costs incurred in fiscal years  
3 2002 and 2003 only, payments may be made by the State Treasurer  
4 from its appropriations from the Capital Litigation Trust Fund  
5 without regard to any fiscal year limitations.

6 Lease payments may be made by the Department of Central  
7 Management Services under the sale and leaseback provisions of  
8 Section 7.4 of the State Property Control Act with respect to  
9 the James R. Thompson Center and the Elgin Mental Health Center  
10 and surrounding land from appropriations for that purpose  
11 without regard to any fiscal year limitations.

12 Lease payments may be made under the sale and leaseback  
13 provisions of Section 7.5 of the State Property Control Act  
14 with respect to the Illinois State Toll Highway Authority  
15 headquarters building and surrounding land without regard to  
16 any fiscal year limitations.

17 (c) Further, payments for services rendered during the  
18 fiscal year may be made by the Department of Public Health and  
19 the Department of Human Services (acting as successor to the  
20 Department of Public Health under the Department of Human  
21 Services Act) from their respective appropriations for those  
22 purposes for that fiscal year for grants for medical care to or  
23 on behalf of persons suffering from chronic renal disease,  
24 persons suffering from hemophilia, rape victims, and premature  
25 and high-mortality risk infants and their mothers and for  
26 grants for supplemental food supplies provided under the United

1 States Department of Agriculture Women, Infants and Children  
2 Nutrition Program, from appropriations for those purposes for  
3 that fiscal year, out of the expiring appropriations during the  
4 4-month period ending at the close of business on October 31 ~~7~~  
5 ~~for any fiscal year without regard to the fact that the~~  
6 ~~services being compensated for by such payment may have been~~  
7 ~~rendered in a prior fiscal year.~~

8 (d) The Department of Public Health and the Department of  
9 Human Services (acting as successor to the Department of Public  
10 Health under the Department of Human Services Act) shall each  
11 annually submit to the State Comptroller, Senate President,  
12 Senate Minority Leader, Speaker of the House, House Minority  
13 Leader, and the respective Chairmen and Minority Spokesmen of  
14 the Appropriations Committees of the Senate and the House, on  
15 or before December 31, a report of fiscal year funds used to  
16 pay for services provided in any prior fiscal year. This report  
17 shall document by program or service category those  
18 expenditures from the most recently completed fiscal year used  
19 to pay for services provided in prior fiscal years.

20 (e) The Department of Healthcare and Family Services ~~Public~~  
21 ~~Aid~~, the Department of Human Services (acting as successor to  
22 the Department of Public Aid), and the Department of Human  
23 Services making fee-for-service payments relating to substance  
24 abuse treatment services provided during a previous fiscal year  
25 shall each annually submit to the State Comptroller, Senate  
26 President, Senate Minority Leader, Speaker of the House, House

1 Minority Leader, the respective Chairmen and Minority  
2 Spokesmen of the Appropriations Committees of the Senate and  
3 the House, on or before November 30, a report that shall  
4 document by program or service category those expenditures from  
5 the most recently completed fiscal year used to pay for (i)  
6 services provided in prior fiscal years and (ii) services for  
7 which claims were received in prior fiscal years.

8 (f) The Department of Human Services (as successor to the  
9 Department of Public Aid) shall annually submit to the State  
10 Comptroller, Senate President, Senate Minority Leader, Speaker  
11 of the House, House Minority Leader, and the respective  
12 Chairmen and Minority Spokesmen of the Appropriations  
13 Committees of the Senate and the House, on or before December  
14 31, a report of fiscal year funds used to pay for services  
15 (other than medical care) provided in any prior fiscal year.  
16 This report shall document by program or service category those  
17 expenditures from the most recently completed fiscal year used  
18 to pay for services provided in prior fiscal years.

19 (g) In addition, each annual report required to be  
20 submitted by the Department of Healthcare and Family Services  
21 ~~Public Aid~~ under subsection (e) shall include the following  
22 information with respect to the State's Medicaid program:

23 (1) Explanations of the exact causes of the variance  
24 between the previous year's estimated and actual  
25 liabilities.

26 (2) Factors affecting the Department of Healthcare and

1        Family Services' ~~Public Aid's~~ liabilities, including but  
2        not limited to numbers of aid recipients, levels of medical  
3        service utilization by aid recipients, and inflation in the  
4        cost of medical services.

5            (3) The results of the Department's efforts to combat  
6        fraud and abuse.

7            (h) As provided in Section 4 of the General Assembly  
8        Compensation Act, any utility bill for service provided to a  
9        General Assembly member's district office for a period  
10       including portions of 2 consecutive fiscal years may be paid  
11       from funds appropriated for such expenditure in either fiscal  
12       year.

13            (i) An agency which administers a fund classified by the  
14        Comptroller as an internal service fund may issue rules for:

15            (1) billing user agencies in advance for payments or  
16        authorized inter-fund transfers based on estimated charges  
17        for goods or services;

18            (2) issuing credits, refunding through inter-fund  
19        transfers, or reducing future inter-fund transfers during  
20        the subsequent fiscal year for all user agency payments or  
21        authorized inter-fund transfers received during the prior  
22        fiscal year which were in excess of the final amounts owed  
23        by the user agency for that period; and

24            (3) issuing catch-up billings to user agencies during  
25        the subsequent fiscal year for amounts remaining due when  
26        payments or authorized inter-fund transfers received from



1           the user agency during the prior fiscal year were less than  
2           the total amount owed for that period.

3   User agencies are authorized to reimburse internal service  
4   funds for catch-up billings by vouchers drawn against their  
5   respective appropriations for the fiscal year in which the  
6   catch-up billing was issued or by increasing an authorized  
7   inter-fund transfer during the current fiscal year. For the  
8   purposes of this Act, "inter-fund transfers" means transfers  
9   without the use of the voucher-warrant process, as authorized  
10   by Section 9.01 of the State Comptroller Act.

11   (Source: P.A. 92-885, eff. 1-13-03; 93-19, eff. 6-20-03;  
12   93-839, eff. 7-30-04; 93-841, eff. 7-30-04; revised 12-15-05.)

13           Section 99. Effective date. This Act takes effect July 1,  
14   2008.