Filed: 3/12/2008

1   AMENDMENT TO HOUSE BILL 5019

2   AMENDMENT NO. _____. Amend House Bill 5019 by replacing

3   everything after the enacting clause with the following:

4   "Section 5. The Children's Health Insurance Program Act is

5   amended by adding Section 65 as follows:

6   (215 ILCS 106/65 new)

7   Sec. 65. Fee schedule. Beginning on January 1, 2009,

8   reimbursement for any physician service must not be lower than

9   Medicare reimbursement in accordance with the Medicare payment

10   localities for Illinois. Reimbursement rules and policies

11   shall not be more restrictive than Medicare physician payment

12   rules and policies. Payment for services must be made within 30

13   days after receipt of a bill or claim for payment in accordance

14   with Section 368a of the Illinois Insurance Code.

15   Notwithstanding any other rulemaking authority that may

16   exist, neither the Governor nor any agency or agency head under

1   the jurisdiction of the Governor has any authority to make or

2   promulgate rules to implement or enforce the provisions of this

3   amendatory Act of the 95th General Assembly. If, however, the

4   Governor believes that rules are necessary to implement or

5   enforce the provisions of this amendatory Act of the 95th

6   General Assembly, the Governor may suggest rules to the General

7   Assembly by filing them with the Clerk of the House and the

8   Secretary of the Senate and by requesting that the General

9   Assembly authorize such rulemaking by law, enact those

10 suggested rules into law, or take any other appropriate action

11 in the General Assembly's discretion. Nothing contained in this

12 amendatory Act of the 95th General Assembly shall be

13 interpreted to grant rulemaking authority under any other

14 Illinois statute where such authority is not otherwise

15 explicitly given. For the purposes of this amendatory Act of

16 the 95th General Assembly, "rules" is given the meaning

17 contained in Section 1-70 of the Illinois Administrative

18 Procedure Act, and "agency" and "agency head" are given the

19 meanings contained in Sections 1-20 and 1-25 of the Illinois

20 Administrative Procedure Act to the extent that such

21 definitions apply to agencies or agency heads under the

22 jurisdiction of the Governor.

23   Section 10. The Covering ALL KIDS Health Insurance Act is

24 amended by adding Section 52.5 as follows:

1   (215 ILCS 170/52.5 new)

2   Sec. 52.5. Fee schedule. Beginning on January 1, 2009, the

3 physician fee schedule for the Covering ALL KIDS Insurance

4 Program for any physician service must not be lower than

5 Medicare reimbursement in accordance with the Medicare payment

6 localities for Illinois. Reimbursement rules and policies

7 shall not be more restrictive than Medicare physician payment

8 rules and policies. Payment for services must be made within 30

9 days after receipt of a bill or claim for payment in accordance

10 with Section 368a of the Illinois Insurance Code.

11   Notwithstanding any other rulemaking authority that may

12 exist, neither the Governor nor any agency or agency head under

13 the jurisdiction of the Governor has any authority to make or

14 promulgate rules to implement or enforce the provisions of this

15 amendatory Act of the 95th General Assembly. If, however, the

16 Governor believes that rules are necessary to implement or

17 enforce the provisions of this amendatory Act of the 95th

18 General Assembly, the Governor may suggest rules to the General

19 Assembly by filing them with the Clerk of the House and the

20 Secretary of the Senate and by requesting that the General

21 Assembly authorize such rulemaking by law, enact those

22 suggested rules into law, or take any other appropriate action

23 in the General Assembly's discretion. Nothing contained in this

24 amendatory Act of the 95th General Assembly shall be

25 interpreted to grant rulemaking authority under any other

26 Illinois statute where such authority is not otherwise

1   explicitly given. For the purposes of this amendatory Act of

2   the 95th General Assembly, "rules" is given the meaning

3   contained in Section 1-70 of the Illinois Administrative

4   Procedure Act, and "agency" and "agency head" are given the

5   meanings contained in Sections 1-20 and 1-25 of the Illinois

6   Administrative Procedure Act to the extent that such

7   definitions apply to agencies or agency heads under the

8   jurisdiction of the Governor.

9   Section 15. The Illinois Public Aid Code is amended by

10 adding Section 5-5.05 as follows:

11   (305 ILCS 5/5-5.05 new)

12   Sec. 5-5.05. Fee schedule. Notwithstanding any other

13 provision of this Article, beginning on January 1, 2009,

14 reimbursement for any physician service must not be lower than

15 Medicare reimbursement in accordance with the Medicare payment

16 localities for Illinois. Reimbursement rules and policies

17 shall not be more restrictive than Medicare physician payment

18 rules and policies. Payment for services must be made within 30

19 days after receipt of a bill or claim or payment in accordance

20 with Section 368a of the Illinois Insurance Code.

21   Notwithstanding any other rulemaking authority that may

22 exist, neither the Governor nor any agency or agency head under

23 the jurisdiction of the Governor has any authority to make or

24 promulgate rules to implement or enforce the provisions of this

1   amendatory Act of the 95th General Assembly. If, however, the

2   Governor believes that rules are necessary to implement or

3   enforce the provisions of this amendatory Act of the 95th

4   General Assembly, the Governor may suggest rules to the General

5   Assembly by filing them with the Clerk of the House and the

6   Secretary of the Senate and by requesting that the General

7   Assembly authorize such rulemaking by law, enact those

8   suggested rules into law, or take any other appropriate action

9   in the General Assembly's discretion. Nothing contained in this

10   amendatory Act of the 95th General Assembly shall be

11   interpreted to grant rulemaking authority under any other

12   Illinois statute where such authority is not otherwise

13   explicitly given. For the purposes of this amendatory Act of

14   the 95th General Assembly, "rules" is given the meaning

15   contained in Section 1-70 of the Illinois Administrative

16   Procedure Act, and "agency" and "agency head" are given the

17   meanings contained in Sections 1-20 and 1-25 of the Illinois

18   Administrative Procedure Act to the extent that such

19   definitions apply to agencies or agency heads under the

20   jurisdiction of the Governor.

21   Section 99. Effective date. This Act takes effect upon

22   becoming law.".