

1 AN ACT in relation to public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Sections 5-8 and 12-13 as follows:

6 (305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

7 Sec. 5-8. Practitioners. In supplying medical assistance,  
8 the Illinois Department may provide for the legally authorized  
9 services of (i) persons licensed under the Medical Practice Act  
10 of 1987, as amended, except as hereafter in this Section  
11 stated, whether under a general or limited license, (ii) ~~and of~~  
12 persons licensed or registered under other laws of this State  
13 to provide dental, medical, pharmaceutical, optometric,  
14 podiatric, or nursing services, or other remedial care  
15 recognized under State law, and (iii) persons licensed under  
16 other laws of this State as a clinical social worker. The  
17 Department may not provide for legally authorized services of  
18 any physician who has been convicted of having performed an  
19 abortion procedure in a wilful and wanton manner on a woman who  
20 was not pregnant at the time such abortion procedure was  
21 performed. The utilization of the services of persons engaged  
22 in the treatment or care of the sick, which persons are not  
23 required to be licensed or registered under the laws of this

1 State, is not prohibited by this Section.

2 (Source: P.A. 85-1209.)

3 (305 ILCS 5/12-13) (from Ch. 23, par. 12-13)

4 Sec. 12-13. Rules and regulations. The Department shall  
5 make all rules and regulations and take such action as may be  
6 necessary or desirable for carrying out the provisions of this  
7 Code, to the end that its spirit and purpose may be achieved  
8 and the public aid programs administered efficiently  
9 throughout the State. However, the rules and regulations shall  
10 not provide that payment for services rendered to a specific  
11 recipient by (i) a person licensed under the Medical Practice  
12 Act of 1987, whether under a general or limited license, (ii)  
13 ~~or~~ a person licensed or registered under other laws of this  
14 State to provide dental, optometric, or pediatric care, or  
15 (iii) a licensed clinical social worker may be authorized only  
16 when services are recommended for that recipient by a person  
17 licensed to practice medicine in all its branches.

18 Whenever a rule of the Department requires that an  
19 applicant or recipient verify information submitted to the  
20 Department, the rule, in order to make the public fully aware  
21 of what information is required for verification, shall specify  
22 the acceptable means of verification or shall list examples of  
23 acceptable means of verification.

24 The provisions of the Illinois Administrative Procedure  
25 Act are hereby expressly adopted and incorporated herein, and

1 shall apply to all administrative rules and procedures of the  
2 Illinois Department under this Act, except that Section 5-35 of  
3 the Illinois Administrative Procedure Act relating to  
4 procedures for rule-making does not apply to the adoption of  
5 any rule required by federal law in connection with which the  
6 Illinois Department is precluded by law from exercising any  
7 discretion, and the requirements of the Administrative  
8 Procedure Act with respect to contested cases are not  
9 applicable to (1) hearings involving eligibility of applicants  
10 or recipients of public aid or (2) support hearings involving  
11 responsible relatives.

12 (Source: P.A. 92-111, eff. 1-1-02.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.