



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB1144

Introduced 2/11/2009, by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/25

from Ch. 127, par. 161

Amends the State Finance Act. Provides that certain payments for medical, pharmaceutical, 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.

LRB096 09543 RCE 19702 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 and pharmaceutical payments for services rendered  
11 during the fiscal year may be made by the Department of  
12 Veterans' Affairs, from its appropriations for those purposes  
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.

18           Medical and pharmaceutical payments for services rendered  
19 during the fiscal year may be made by the Department of  
20 Healthcare and Family Services and medical and pharmaceutical  
21 payments for services rendered during the fiscal year and child  
22 care payments for services rendered during the fiscal year may  
23 be made by the Department of Human Services (as successor to  
24 the Department of Public Aid), from appropriations for those  
25 purposes for ~~any~~ fiscal year, out of the expiring  
26 appropriations during the 4-month period ending at the close of

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

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

23 Additionally, payments may be made by the Department of  
24 Human Services from its appropriations, or any other State  
25 agency from its appropriations with the approval of the  
26 Department of Human Services, from the Immigration Reform and

1 Control Fund for purposes authorized pursuant to the  
2 Immigration Reform and Control Act of 1986, without regard to  
3 any fiscal year limitations.

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

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

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

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

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

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

22 (e) The Department of Healthcare and Family Services, the  
23 Department of Human Services (acting as successor to the  
24 Department of Public Aid), and the Department of Human Services  
25 making fee-for-service payments relating to substance abuse  
26 treatment services provided during a previous fiscal year shall

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

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

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

25 (1) Explanations of the exact causes of the variance  
26 between the previous year's estimated and actual

1 liabilities.

2 (2) Factors affecting the Department of Healthcare and  
3 Family Services' liabilities, including but not limited to  
4 numbers of aid recipients, levels of medical service  
5 utilization by aid recipients, and inflation in the cost of  
6 medical services.

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

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

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

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

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

26 (3) issuing catch-up billings to user agencies during



1           the subsequent fiscal year for amounts remaining due when  
2           payments or authorized inter-fund transfers received from  
3           the user agency during the prior fiscal year were less than  
4           the total amount owed for that period.

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

13          (Source: P.A. 95-331, eff. 8-21-07.)