



Rep. Bill Mitchell

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LRB097 06852 RPM 50685 a

1 AMENDMENT TO HOUSE BILL 1409

2 AMENDMENT NO. _____. Amend House Bill 1409 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Covering ALL KIDS Health Insurance Act is
5 amended by changing Section 20 as follows:

6 (215 ILCS 170/20)

7 (Section scheduled to be repealed on July 1, 2016)

8 Sec. 20. Eligibility.

9 (a) To be eligible for the Program, a person must be a
10 child:

11 (1) who is a resident of the State of Illinois;

12 (2) who is ineligible for medical assistance under the
13 Illinois Public Aid Code or benefits under the Children's
14 Health Insurance Program Act;

15 (3) either (i) who has been without health insurance
16 coverage for 12 months, (ii) whose parent has lost

1 employment that made available affordable dependent health
2 insurance coverage, until such time as affordable
3 employer-sponsored dependent health insurance coverage is
4 again available for the child as set forth by the
5 Department in rules, (iii) who is a newborn whose
6 responsible relative does not have available affordable
7 private or employer-sponsored health insurance, or (iv)
8 who, within one year of applying for coverage under this
9 Act, lost medical benefits under the Illinois Public Aid
10 Code or the Children's Health Insurance Program Act; and

11 (3.5) whose household income, as determined by the
12 Department, is at or below 300% of the federal poverty
13 level. This item (3.5) is effective July 1, 2011.

14 An entity that provides health insurance coverage (as
15 defined in Section 2 of the Comprehensive Health Insurance Plan
16 Act) to Illinois residents shall provide health insurance data
17 match to the Department of Healthcare and Family Services as
18 provided by and subject to Section 5.5 of the Illinois
19 Insurance Code.

20 The Department of Healthcare and Family Services, in
21 collaboration with the Department of Insurance, shall adopt
22 rules governing the exchange of information under this Section.
23 The rules shall be consistent with all laws relating to the
24 confidentiality or privacy of personal information or medical
25 records, including provisions under the Federal Health
26 Insurance Portability and Accountability Act (HIPAA).

1 (b) The Department shall monitor the availability and
2 retention of employer-sponsored dependent health insurance
3 coverage and shall modify the period described in subdivision
4 (a)(3) if necessary to promote retention of private or
5 employer-sponsored health insurance and timely access to
6 healthcare services, but at no time shall the period described
7 in subdivision (a)(3) be less than 6 months.

8 (c) The Department, at its discretion, may take into
9 account the affordability of dependent health insurance when
10 determining whether employer-sponsored dependent health
11 insurance coverage is available upon reemployment of a child's
12 parent as provided in subdivision (a)(3).

13 (d) A child who is determined to be eligible for the
14 Program shall remain eligible for 12 months, provided that the
15 child maintains his or her residence in this State, has not yet
16 attained 19 years of age, and is not excluded under subsection
17 (e).

18 (e) A child is not eligible for coverage under the Program
19 if:

20 (1) the premium required under Section 40 has not been
21 timely paid; if the required premiums are not paid, the
22 liability of the Program shall be limited to benefits
23 incurred under the Program for the time period for which
24 premiums have been paid; re-enrollment shall be completed
25 before the next covered medical visit, and the first
26 month's required premium shall be paid in advance of the

1 next covered medical visit; ~~or~~

2 (2) the child is an inmate of a public institution or
3 an institution for mental diseases; or ~~or~~

4 (3) the child is an undocumented immigrant.

5 (f) The Department may adopt rules, including, but not
6 limited to: rules regarding annual renewals of eligibility for
7 the Program in conformance with Section 7 of this Act; rules
8 providing for re-enrollment, grace periods, notice
9 requirements, and hearing procedures under subdivision (e) (1)
10 of this Section; and rules regarding what constitutes
11 availability and affordability of private or
12 employer-sponsored health insurance, with consideration of
13 such factors as the percentage of income needed to purchase
14 children or family health insurance, the availability of
15 employer subsidies, and other relevant factors.

16 (g) Each child enrolled in the Program as of July 1, 2011
17 whose family income, as established by the Department, exceeds
18 300% of the federal poverty level may remain enrolled in the
19 Program for 12 additional months commencing July 1, 2011.
20 Continued enrollment pursuant to this subsection shall be
21 available only if the child continues to meet all eligibility
22 criteria established under the Program as of the effective date
23 of this amendatory Act of the 96th General Assembly without a
24 break in coverage. Nothing contained in this subsection shall
25 prevent a child from qualifying for any other health benefits
26 program operated by the Department.

1 (Source: P.A. 96-1272, eff. 1-1-11; 96-1501, eff. 1-25-11.)".