



Rep. Patricia R. Bellock

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LRB097 19117 KTG 67929 a

1 AMENDMENT TO HOUSE BILL 5641

2 AMENDMENT NO. _____. Amend House Bill 5641 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-1.2a as follows:

6 (305 ILCS 5/5-1.2a new)

7 Sec. 5-1.2a. Income and Identity Verification System.

8 (a) Within 6 months after the effective date of this
9 amendatory Act of the 97th General Assembly, the Department
10 shall establish uniform procedures to identify, investigate,
11 and resolve potential cases of fraud, misrepresentation, or
12 inadequate documentation prior to determining an applicant's
13 eligibility for assistance under this Article. The procedures
14 shall ensure that every case is reviewed. Each review shall
15 include utilization of the income and identity verification
16 system established under this Section.

1 (b) The Department shall establish a computerized income
2 and identity eligibility verification system in order to verify
3 eligibility, eliminate duplication of assistance, and deter
4 fraud.

5 (c) Prior to awarding or continuing assistance under this
6 Article, the Department shall, to the extent such databases are
7 available to the Department, match the name, date of birth, and
8 social security number of each applicant and recipient against
9 the following:

10 (1) Unearned income information maintained by the
11 Internal Revenue Service.

12 (2) Employer quarterly reports of income and
13 unemployment insurance payment information maintained by
14 the Department of Employment Security.

15 (3) Earned income information maintained by the Social
16 Security Administration.

17 (4) Immigration status information maintained by the
18 United States Citizenship and Immigration Services.

19 (5) Death register information maintained by the
20 Social Security Administration.

21 (6) Prisoner information maintained by the Social
22 Security Administration.

23 (7) Public housing and Section 8 Housing Assistance
24 payment information maintained by the Department of
25 Housing and Urban Development.

26 (8) National fleeing felon information maintained by

1 the Federal Bureau of Investigation.

2 (9) Wage reporting and similar information maintained
3 by states contiguous to this State.

4 (10) Beneficiary records and earnings information
5 maintained by the Social Security Administration in its
6 Beneficiary and Earnings Data Exchange (BENDEX) database.

7 (11) Earnings and pension information maintained by
8 the Social Security Administration in its Beneficiary
9 Earnings Exchange Record System (BEERS) database.

10 (12) Employment information maintained by the
11 Department of Employment Security in its New Hire Directory
12 database.

13 (13) Employment information maintained by the United
14 States Department of Health and Human Services in its
15 National Directory of New Hires database.

16 (14) Supplemental Security Income information
17 maintained by the Social Security Administration in its
18 State Data Exchange (SDX) database.

19 (15) Veterans' benefits information maintained by the
20 United States Department of Health and Human Services, in
21 coordination with the Department of Health and Human
22 Services and the Department of Veterans' Affairs, in the
23 federal Public Assistance Reporting Information System
24 (PARIS) database.

25 (16) Child care services information maintained by the
26 Department of Health and Human Services under its child

1 care assistance program.

2 (17) Utility payments information maintained by the
3 Department of Commerce and Economic Opportunity under the
4 Low Income Home Energy Assistance Program.

5 (18) A database which is substantially similar to or a
6 successor of a database established in this section.

7 (19) A database of all persons who currently hold a
8 license, permit, or certificate from a State agency.

9 (d) Prior to awarding or continuing assistance under this
10 Article, the Department shall match the name, date of birth,
11 and social security number of each applicant and recipient
12 against the following public records:

13 (1) A nationwide public records data source of physical
14 asset ownership such as real property, automobiles,
15 watercraft, aircraft, and luxury vehicles.

16 (2) A nationwide public records data source of
17 incarcerated individuals.

18 (3) A nationwide best-address and driver's license
19 data source to verify individuals are residents of the
20 State.

21 (4) A comprehensive public records database that
22 identifies potential identity fraud or identity theft that
23 can closely associate name, social security number, date of
24 birth, phone, and address information.

25 (e) If a discrepancy results between an applicant's or
26 recipient's social security number and one or more of the

1 databases or information tools listed under subsection (b),
2 (c), or (d), the Department shall review the applicant's or
3 recipient's case using the following procedures:

4 (1) If the information discovered under subsections
5 (c) and (d) does not result in the Department finding the
6 applicant or recipient ineligible for assistance under
7 this Article, the Department shall take no further action.

8 (2) If the information discovered results in the
9 Department finding the applicant or recipient ineligible
10 for assistance, the applicant or recipient shall be given
11 an opportunity to explain the discrepancy. The Department
12 shall provide written notice to the applicant or recipient
13 which shall describe in sufficient detail the
14 circumstances of the discrepancy, the manner in which the
15 applicant or recipient may respond, and the consequences of
16 failing to take action. The applicant or recipient shall
17 have 10 business days to respond in an attempt to resolve
18 the discrepancy. The explanation provided by the recipient
19 or applicant shall be given in writing. After receiving the
20 explanation, the Department may request additional
21 documentation if it determines that there is a substantial
22 risk of fraud.

23 (3) If the applicant or recipient does not respond to
24 the notice, the Department shall deny assistance for
25 failure to cooperate, in which case the Department shall
26 provide notice of intent to discontinue assistance.

1 Eligibility for assistance shall not be reestablished
2 until the discrepancy has been resolved.

3 (4) If an applicant or recipient responds to the notice
4 and disagrees with the findings of the match between his or
5 her social security number and one or more databases or
6 information tools listed under this Section, the
7 Department shall reinvestigate the matter. If the
8 Department finds that there has been an error, the
9 Department shall take immediate action to correct it and no
10 further action shall be taken. If, after an investigation,
11 the Department determines that there is no error, the
12 Department shall determine the effect on the applicant's or
13 recipient's case and take appropriate action. Written
14 notice of the Department's action shall be given to the
15 applicant or recipient.

16 (5) If the applicant or recipient agrees with the
17 findings of the match between the applicant's or
18 recipient's social security number and one or more
19 databases or information tools listed under this Section,
20 the Department shall determine the effect on the
21 applicant's or recipient's case and take appropriate
22 action. Written notice of the Department's action shall be
23 given to the applicant or recipient. In no case shall the
24 Department discontinue medical assistance coverage as a
25 result of a match between the applicant's or recipient's
26 social security number and one more databases or

1 information tools listed under this Section until the
2 applicant or recipient has been given notice of the
3 discrepancy and the opportunity to respond.

4 (6) The applicant or recipient shall have an
5 opportunity for a fair hearing in the event of any adverse
6 action affecting eligibility for assistance under this
7 Article.

8 (f) The Department may contract with third party entities
9 to perform the review of such enrollees as authorized under
10 this Section or to provide information to facilitate such
11 reviews.

12 (g) The Department shall adopt any rules necessary to
13 implement this Section.

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