

97TH GENERAL ASSEMBLY State of Illinois 2011 and 2012 HB6246

by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

See Index

Amends the Department of Public Health Powers and Duties Law and the State Finance Act. Provides that, subject to appropriation, the Department of Public Health shall administer a program for education of specified non-dental medical professionals about oral health with the goal of integrating oral health care into overall health care and may make grants to, or enter into contracts with, specified public or nonprofit medical or educational entities to educate non-oral health professionals to promote oral health education. Contains provisions concerning dental training residency programs, dental programs in schools, and emergency room care coordination. Creates the Oral Health Professional Student Loan Fund as a special fund to provide student loans to oral health professional students, including dentists and dental hygienists. Amends the Department of Veterans Affairs Act. Provides that, subject to appropriation, the Department of Veterans' Affairs may develop and implement a demonstration program to establish programs to train and employ alternative dental health care providers to increase access to dental health care services for veterans who reside in rural and other underserved communities. Amends the Illinois Public Aid Code. Removes a provision limiting adult dental services under the Medicaid program to emergency services. Provides that any person over the age of 21 who is eligible to receive medical assistance shall be eligible to receive dental services including dental services provided through a mobile dental van or portable dental unit. Contains provisions concerning funding for a case management grant program, oral health services in underserved areas, and mobile and portable dental services by rural health clinics.

LRB097 21987 KTG 70710 b

FISCAL NOTE ACT MAY APPLY 1 AN ACT concerning public aid.

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

- 4 Section 1. The Department of Public Health Powers and
- 5 Duties Law is amended by adding Sections 2310-360a, 2310-360b,
- 6 2310-360c, 2310-360d, and 2310-360e as follows:
- 7 (20 ILCS 2310/2310-360a new)
- 8 Sec. 2310-360a. Oral health education programs; non-dental
- 9 <u>medical professionals; non-oral health professionals.</u>
- 10 <u>(a) Subject to appropriation, the Department shall</u>
- 11 administer a program for the purpose of educating non-dental
- 12 medical professionals, including physicians, nurses, and
- pharmacists, about oral health, including issues such as oral
- 14 hygiene instruction, topical application of fluoride, and oral
- 15 <u>health screenings</u>, with the goal of integrating oral health
- 16 care into overall health care.
- 17 (b) Subject to appropriation, the Department may make
- 18 grants to, or enter into contracts with, an accredited public
- or nonprofit private hospital, an educational institution, or a
- 20 public or private nonprofit entity which the Department has
- 21 determined is capable of carrying out such grant or contract to
- 22 educate individuals, such as community health providers,
- 23 social workers, nutritionists, health educators, occupational

- 1 therapists, and psychologists, to promote oral health
- 2 education and to provide support for behavior change and
- 3 <u>assistance with care coordination with respect to oral health.</u>
- 4 (20 ILCS 2310/2310-360b new)
- 5 Sec. 2310-360b. Dental training residency programs.
- 6 Individuals enrolled in a dental training residency program who
- 7 receive State funds through the Department or any other State
- 8 agency shall be required to provide dental services (i) in
- 9 hospital emergency rooms or (ii) in community settings in
- 10 addition to the dental training otherwise required by such
- 11 residency program.
- 12 (20 ILCS 2310/2310-360c new)
- 13 Sec. 2310-360c. Oral Health Professional Student Loan
- 14 Fund. The Oral Health Professional Student Loan Fund is created
- 15 as a special fund in the State treasury. Subject to
- appropriation, moni<u>es in the Fund shall be used to provide</u>
- 17 student loans to oral health professional students, including
- dentists and dental hygienists. The Department shall adopt any
- 19 rules necessary to implement this Section.
- 20 (20 ILCS 2310/2310-360d new)
- 21 Sec. 2310-360d. Dental programs in schools.
- 22 (a) Subject to appropriation, the Department shall award
- grants to qualified entities for the purpose of funding the

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1	building, operation, or expansion of dental programs in
2	schools.
3	(b) To receive a grant under this Section, a qualified
4	entity shall submit an application to the Department at such
5	time, in such manner, and containing such information as the
6	Department may require.
7	(c) An entity receiving a grant under this Section shall:
8	(1) provide comprehensive oral health services at a
9	dental program based at a school, including oral health
10	education, oral screening, fluoride application,
11	prophylaxis, and sealants;
12	(2) refer patients to an available qualified oral
13	health provider in the community for any required oral
14	health services not provided in the dental program in the
15	school, to ensure that all the oral health needs of
16	students are met; and
17	(3) maintain dental program hours that extend beyond
18	school hours.
19	(20 ILCS 2310/2310-360e new)
20	Sec. 2310-360e. Emergency room care coordination; dental
21	services.
22	(a) Subject to appropriation, the Department shall

establish a grant program to enable individuals to receive

dental care at a facility operated by a grant recipient rather

than at a hospital emergency room.

1	(b) To be eligible to receive a grant under this Section,
2	an entity shall be:
3	(1) a hospital in partnership with a federally
4	qualified health center;
5	(2) a federally qualified health center;
6	(3) a private dental practice; or
7	(4) any other interested public or private sector
8	health care provider or organization that the Department
9	determines has the capacity to serve a high number of
10	individuals who lack access to oral health services.
11	(c) The Department shall allocate a portion of the amounts
12	appropriated under subsection (a) toward medical education for
13	emergency room physicians to be trained in oral health.
14	(d) Not later than January 1, 2016, the Department shall
15	submit to the General Assembly a report on the best practices
16	determined by the program established under this Section to
17	address oral health needs of individuals who go to emergency
18	rooms in need of oral health care.
19	Section 2. The Department of Veterans Affairs Act is
20	amended by adding Section 37 as follows:
21	(20 ILCS 2805/37 new)
22	Sec. 37. Alternative dental health care providers for
23	veterans; demonstration program.
24	(a) Subject to appropriation, the Department may develop

- and implement a demonstration program to establish programs to 1
- 2 train and employ alternative dental health care providers in
- 3 order to increase access to dental health care services for
- veterans entitled to such services who reside in rural and 4
- 5 other underserved communities.
- (b) For purposes of alternative dental health care 6
- providers and any other dental care providers who are licensed 7
- to provide clinical care, dental services provided under the 8
- 9 demonstration program under this Section may be administered by
- 10 such providers through telehealth-enabled collaboration and
- 11 supervision when deemed appropriate and feasible.
- 12 (c) In this Section, "alternative dental health care
- providers" means supervised dental hygienists, primary care 13
- 14 physicians, and any other health professional that the
- 15 Department determines appropriate.
- 16 Section 3. The State Finance Act is amended by adding
- Section 5.811 as follows. 17
- 18 (30 ILCS 105/5.811 new)
- 19 Sec. 5.811. The Oral Health Professional Student Loan Fund.
- 20 Section 5. The Illinois Public Aid Code is amended by
- changing Sections 5-5f and 5-19 and by adding Sections 5-31, 21
- 22 5-32, 12-4.39a, and 12-4.39b as follows:

- 1 (305 ILCS 5/5-5f)
- 2 Sec. 5-5f. Elimination and limitations of medical
- 3 assistance services. Notwithstanding any other provision of
- 4 this Code to the contrary, on and after July 1, 2012:
- 5 (a) The following services shall no longer be a covered
- 6 service available under this Code: group psychotherapy for
- 7 residents of any facility licensed under the Nursing Home Care
- 8 Act or the Specialized Mental Health Rehabilitation Act; and
- 9 adult chiropractic services.
- 10 (b) The Department shall place the following limitations on
- 11 services: (i) the Department shall limit adult eyeglasses to
- one pair every 2 years; (ii) the Department shall set an annual
- 13 limit of a maximum of 20 visits for each of the following
- 14 services: adult speech, hearing, and language therapy
- 15 services, adult occupational therapy services, and physical
- therapy services; (iii) the Department shall limit podiatry
- 17 services to individuals with diabetes; (iv) the Department
- shall pay for caesarean sections at the normal vaginal delivery
- 19 rate unless a caesarean section was medically necessary; (v)
- 20 the Department shall limit adult dental services to
- 21 emergencies; and (v) (vi) effective July 1, 2012, the
- 22 Department shall place limitations and require concurrent
- 23 review on every inpatient detoxification stay to prevent repeat
- 24 admissions to any hospital for detoxification within 60 days of
- 25 a previous inpatient detoxification stay. The Department shall
- 26 convene a workgroup of hospitals, substance abuse providers,

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- care coordination entities, managed care plans, and other stakeholders to develop recommendations for quality standards, diversion to other settings, and admission criteria for patients who need inpatient detoxification.
 - (c) The Department shall require prior approval of the following services: wheelchair repairs, regardless of the cost of the repairs, coronary artery bypass graft, and bariatric surgery consistent with Medicare standards concerning patient responsibility. The wholesale cost of power wheelchairs shall be actual acquisition cost including all discounts.
- 11 (d) The Department shall establish benchmarks for 12 hospitals to measure and align payments to reduce potentially 13 preventable hospital readmissions, inpatient complications, 14 and unnecessary emergency room visits. In doing so, the Department shall consider items, including, but not limited to, 15 16 historic and current acuity of care and historic and current 17 readmission. The Department trends in shall provider-specific historical readmission data and anticipated 18 19 potentially preventable targets 60 days prior to the start of 20 the program. In the instance of readmissions, the Department shall adopt policies and rates of reimbursement for services 21 22 and other payments provided under this Code to ensure that, by 23 June 30, 2013, expenditures to hospitals are reduced by, at a minimum, \$40,000,000. 24
- 25 (e) The Department shall establish utilization controls 26 for the hospice program such that it shall not pay for other

- 1 care services when an individual is in hospice.
- 2 (f) For home health services, the Department shall require
 3 Medicare certification of providers participating in the
 4 program, implement the Medicare face-to-face encounter rule,
 5 and limit services to post-hospitalization. The Department
 6 shall require providers to implement auditable electronic
 7 service verification based on global positioning systems or
 8 other cost-effective technology.
 - (g) For the Home Services Program operated by the Department of Human Services and the Community Care Program operated by the Department on Aging, the Department of Human Services, in cooperation with the Department on Aging, shall implement an electronic service verification based on global positioning systems or other cost-effective technology.
 - (h) The Department shall not pay for hospital admissions when the claim indicates a hospital acquired condition that would cause Medicare to reduce its payment on the claim had the claim been submitted to Medicare, nor shall the Department pay for hospital admissions where a Medicare identified "never event" occurred.
 - (i) The Department shall implement cost savings initiatives for advanced imaging services, cardiac imaging services, pain management services, and back surgery. Such initiatives shall be designed to achieve annual costs savings.
- 25 (Source: P.A. 97-689, eff. 6-14-12.)

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1 (305 ILCS 5/5-19) (from Ch. 23, par. 5-19)

Social Security Act, 42 U.S.C. 1396d(r).

- 2 Sec. 5-19. Healthy Kids Program.
- 3 (a) Any child under the age of 21 eligible to receive 4 Medical Assistance from the Illinois Department under Article V 5 of this Code shall be eligible for Early and Periodic 6 Screening, Diagnosis and Treatment services provided by the 7 Healthy Kids Program of the Illinois Department under the
- 9 (b) Enrollment of Children in Medicaid. The Illinois 10 Department shall provide for receipt and initial processing of 11 applications for Medical Assistance for all pregnant women and 12 children under the age of 21 at locations in addition to those 13 for processing applications used for cash assistance, 14 including disproportionate share hospitals, federally 15 qualified health centers and other sites as selected by the 16 Illinois Department.
 - (c) Healthy Kids Examinations. The Illinois Department shall consider any examination of a child eligible for the Healthy Kids services provided by a medical provider meeting the requirements and complying with the rules and regulations of the Illinois Department to be reimbursed as a Healthy Kids examination.
 - (d) Medical Screening Examinations.
- 24 (1) The Illinois Department shall insure Medicaid 25 coverage for periodic health, vision, hearing, and dental 26 screenings for children eligible for Healthy Kids services

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1	scheduled from a child's birth up until the child turns 21
2	years. The Illinois Department shall pay for vision,
3	hearing, dental and health screening examinations for any
4	child eligible for Healthy Kids services by qualified
5	providers at intervals established by Department rules.
6	(2) The Illinois Department shall pay for an
7	interperiodic health, vision, hearing, or dental screening
8	examination for any child eligible for Healthy Kids
9	services whenever an examination is:
10	(A) requested by a child's parent, guardian, or
11	custodian, or is determined to be necessary or
12	appropriate by social services, developmental, health,
13	or educational personnel; or
14	(B) necessary for enrollment in school; or
15	(C) necessary for enrollment in a licensed day care
16	program, including Head Start; or
17	(D) necessary for placement in a licensed child
18	welfare facility, including a foster home, group home
19	or child care institution; or
20	(E) necessary for attendance at a camping program;
21	or
22	(F) necessary for participation in an organized
23	athletic program; or

(G) necessary for enrollment in an early childhood

education program recognized by the Illinois State

Board of Education; or

1	(H) necessary for participation in a Women,
2	Infant, and Children (WIC) program; or
3	(I) deemed appropriate by the Illinois Department.
4	(3) The dental screening services covered under this
5	subsection shall include mobile and portable oral health
6	services (as prescribed by the Illinois Department) that
7	(i) are provided for the purpose of overcoming mobility,
8	transportation, or access barriers for children and (ii)
9	satisfy the standards and certification requirements
10	established under the Illinois Dental Practice Act.
11	(e) Minimum Screening Protocols For Periodic Health
12	Screening Examinations. Health Screening Examinations must
13	include the following services:
14	(1) Comprehensive Health and Development Assessment
15	including:
16	(A) Development/Mental Health/Psychosocial
17	Assessment; and
18	(B) Assessment of nutritional status including
19	tests for iron deficiency and anemia for children at
20	the following ages: 9 months, 2 years, 8 years, and 18
21	years;
22	(2) Comprehensive unclothed physical exam;
23	(3) Appropriate immunizations at a minimum, as
24	required by the Secretary of the U.S. Department of Health
25	and Human Services under 42 U.S.C. 1396d(r).
26	(4) Appropriate laboratory tests including blood lead

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1	levels appropriate for age and risk factors.
2	(A) Anemia test.
3	(B) Sickle cell test.
4	(C) Tuberculin test at 12 months of age and every
5	1-2 years thereafter unless the treating health care
6	professional determines that testing is medically
7	contraindicated.
8	(D) Other The Illinois Department shall insure
9	that testing for HIV, drug exposure, and sexually
10	transmitted diseases is provided for as clinically
11	indicated.
12	(5) Health Education. The Illinois Department shall
13	require providers to provide anticipatory guidance as
14	recommended by the American Academy of Pediatrics.
15	(6) Vision Screening. The Illinois Department shall
16	require providers to provide vision screenings consistent
17	with those set forth in the Department of Public Health's
18	Administrative Rules.
19	(7) Hearing Screening. The Illinois Department shall
20	require providers to provide hearing screenings consistent
21	with those set forth in the Department of Public Health's
22	Administrative Rules.
23	(8) Dental Screening. The Illinois Department shall

require providers to provide dental screenings consistent

with those set forth in the Department of Public Health's

Administrative Rules.

- (f) Covered Medical Services. The Illinois Department shall provide coverage for all necessary health care, diagnostic services, treatment and other measures to correct or ameliorate defects, physical and mental illnesses, and conditions whether discovered by the screening services or not for all children eligible for Medical Assistance under Article V of this Code.
 - (g) Notice of Healthy Kids Services.
 - (1) The Illinois Department shall inform any child eligible for Healthy Kids services and the child's family about the benefits provided under the Healthy Kids Program, including, but not limited to, the following: what services are available under Healthy Kids, including discussion of the periodicity schedules and immunization schedules, that services are provided at no cost to eligible children, the benefits of preventive health care, where the services are available, how to obtain them, and that necessary transportation and scheduling assistance is available.
 - (2) The Illinois Department shall widely disseminate information regarding the availability of the Healthy Kids Program throughout the State by outreach activities which shall include, but not be limited to, (i) the development of cooperation agreements with local school districts, public health agencies, clinics, hospitals and other health care providers, including developmental disability and mental health providers, and with charities, to notify

the constituents of each of the Program and assist individuals, as feasible, with applying for the Program, (ii) using the media for public service announcements and advertisements of the Program, and (iii) developing posters advertising the Program for display in hospital and clinic waiting rooms.

- (3) The Illinois Department shall utilize accepted methods for informing persons who are illiterate, blind, deaf, or cannot understand the English language, including but not limited to public services announcements and advertisements in the foreign language media of radio, television and newspapers.
- (4) The Illinois Department shall provide notice of the Healthy Kids Program to every child eligible for Healthy Kids services and his or her family at the following times:
 - (A) orally by the intake worker and in writing at the time of application for Medical Assistance;
 - (B) at the time the applicant is informed that he or she is eligible for Medical Assistance benefits; and
 - (C) at least 20 days before the date of any periodic health, vision, hearing, and dental examination for any child eligible for Healthy Kids services. Notice given under this subparagraph (C) must state that a screening examination is due under the periodicity schedules and must advise the eligible child and his or her family that the Illinois

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- Department will provide assistance in scheduling an appointment and arranging medical transportation.
 - (h) Data Collection. The Illinois Department shall collect data in a usable form to track utilization of Healthy Kids screening examinations by children eligible for Healthy Kids services, including but not limited to data showing screening examinations and immunizations received, a summary of follow-up treatment received by children eligible for Healthy Kids services and the number of children receiving dental, hearing and vision services.
- 11 (i) On and after July 1, 2012, the Department shall reduce 12 any rate of reimbursement for services or other payments or 13 alter any methodologies authorized by this Code to reduce any 14 rate of reimbursement for services or other payments in 15 accordance with Section 5-5e.
- 16 (Source: P.A. 97-689, eff. 6-14-12.)
- 17 (305 ILCS 5/5-31 new)
- Sec. 5-31. Adult dental services. Notwithstanding any other provision of this Code, any person over the age of 21 who is eligible to receive medical assistance under this Article shall be eligible to receive dental services.
- 22 <u>For purposes of this Section</u>, "dental services" means oral
 23 <u>health services</u> (as prescribed by the Department) provided by a
 24 <u>licensed oral health care provider that are necessary to</u>
 25 prevent disease and promote oral health, restore oral

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1	structures to health and function, and treat emergency
2	conditions. "Dental services" includes those services provided
3	through a mobile dental van or portable dental unit as defined
4	in Section 4 of the Illinois Dental Practice Act that (i) are
5	provided for the purpose of overcoming mobility,
6	transportation, and access barriers for individuals; and (ii)
7	satisfy standards and certification requirements established
8	under the Illinois Dental Practice Act.
9	The Department shall provide notice of the dental services
10	provided under this Section in writing to any person over the
11	age of 21 who is eligible to receive medical assistance under

- 13 (305 ILCS 5/5-32 new)
- 14 Sec. 5-32. Case management grant program.
- 15 (a) Definitions.

this Article.

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- 16 (1) "Eligible entity" means an organization that is 17 described in Section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under Section 501(a) of that 18 19 Code.
- 20 (2) "Eligible individual" means an individual who:
- (A) is eligible to receive medical assistance under the State's approved plan under Title XIX of the 23 Social Security Act or under any waiver approved by the federal Centers for Medicare and Medicaid Services with respect to such plan;

1	(B) is eligible to receive health care benefits
2	under the Covering ALL KIDS Health Insurance Act or the
3	Children's Health Insurance Program Act pursuant to
4	Title XXI of the Social Security Act or under any
5	waiver approved by the federal Centers for Medicare and
6	Medicaid Services with respect to the health care
7	benefits provided under the Children's Health
8	Insurance Program Act;
9	(C) is entitled to receive health care benefits
10	under the Veterans' Health Insurance Program Act of
11	<u>2008; or</u>
12	(D) has an income below 200% of the federal poverty
13	level and does not otherwise have insurance coverage.
14	(b) Grants. Subject to appropriation, the Department shall
15	award grants to eligible entities for the purpose of developing
16	<pre>case management programs that:</pre>
17	(1) identify eligible individuals who are in need of
18	dental services, with a particular focus on pregnant women,
19	individuals with disabilities, and older adults, and
20	provide them with information regarding dental providers
21	in proximity to their residence;
22	(2) determine the coverage status of an eligible
23	individual or whether such individual is eligible for free
24	dental services;
25	(3) recruit licensed dental providers and coordinate

1	services by such providers to eligible individuals
2	described in subparagraph (D) of paragraph (2) of
3	subsection (a) with no fee or charge to such individuals
4	and in a manner consistent with State licensing laws;
5	(4) provide community-level oral health education,
6	with a focus on oral health literacy and prevention, and
7	resource information to eligible individuals; and
8	(5) identify and coordinate transportation for
9	eligible individuals in need of dental services as
10	necessary to overcome mobility impairments and
11	transportation barriers.
12	(c) Application. An eligible entity that desires to
13	participate in the grant program under this Section shall
14	submit to the Department an application at such time, in such
15	manner, and containing such information as the Department may
16	require.
17	(d) Duration and scope. From any amounts appropriated to
18	carry out this Section, the Department shall award grants to a
19	total of 10 eligible entities, with the amount of each grant to
20	be determined at the discretion of the Department.
21	(e) Evaluation. Not later than January 1, 2016, the
22	Department shall conduct an evaluation of the grant program
23	under this Section for purposes of determining if case
24	management programs established by participating eligible

entities sufficiently increased access to dental services.

an entity:

1	(305 ILCS 5/12-4.39a new)
2	Sec. 12-4.39a. Funding for oral health services in
3	underserved areas.
4	(a) Subject to appropriation, the Department shall
5	establish a program to award grants to eligible entities to
6	provide oral health services, or to contract with private
7	dental practices to provide comprehensive oral health
8	services, to low-income individuals and individuals who are
9	underserved with respect to oral health care.
10	(b) The Department shall provide technical assistance to
11	entities receiving grants under subsection (a) to provide
12	technical assistance to such entities in order to:
13	(1) with respect to oral health care services, increase
14	efficiency and minimize missed appointments, contract with
15	offsite providers, recruit providers (including oral
16	health specialists), and operate programs outside the
17	physical facilities to take advantage of new systems to
18	improve access to oral health services; or
19	(2) contract with private dental practices that will
20	provide oral health services other than preventive oral
21	health care, including restoration and maintenance of oral
22	health, in order to meet the need for oral health services
23	in the community.
24	(c) To be eligible to receive a grant under subsection (a),

1	(1) shall be:
2	(A) a federally qualified health center (as
3	defined in Section 1861(aa) of the Social Security
4	<u>Act);</u>
5	(B) a safety net clinic or a free clinic (as
6	defined by the Department); or
7	(C) any other interested public or private sector
8	health care provider or organization that the
9	Department determines has a demonstrated history in
10	serving a high number of uninsured or low-income
11	individuals or those who lack ready access to oral
12	health services; and
13	(2) shall demonstrate a clear need to expand oral
14	health care services beyond preventive oral health care.
15	(d) A portion of the funds available under this Section
16	shall be allocated toward hiring oral health care specialists,
17	such as oral surgeons, at entities receiving grants under this
18	Section.
19	(305 ILCS 5/12-4.39b new)
20	Sec. 12-4.39b. Mobile and portable dental services; rural
21	health clinics. Subject to appropriation, the Department shall
22	award grants to rural health clinics as defined in Section
23	1861(aa)(2) of the Social Security Act (42 U.S.C. 1395x(aa)(2))
24	to provide mobile and portable, comprehensive dental services
25	(including dental services provided by licensed providers

1 through telehealth-enabled collaboration and supervision) and 2 outreach for dental services at locations such as senior 3 centers; nursing homes; assisted living facilities; schools; 4 licensed day care centers that serve children who receive 5 benefits under the Children's Health Insurance Program under 6 the Children's Health Insurance Program Act or the Medicaid 7 program under Article V of this Code; and facilities that provide services under the Special Supplemental Nutrition 8 9 Program for Women, Infants, and Children (WIC) or the Head 10 Start Act (42 U.S.C. 9831).

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7	20 ILCS 2310/2310-360e new
8	20 ILCS 2805/37 new
9	30 ILCS 105/5.811 new
10	305 ILCS 5/5-5f
11	305 ILCS 5/5-19 from Ch. 23, par. 5-19
12	305 ILCS 5/5-31 new
13	305 ILCS 5/5-32 new
14	305 ILCS 5/12-4.39a new
15	305 ILCS 5/12-4.39b new