

1 AN ACT concerning 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 Section 1-8.5 as follows:

6 (305 ILCS 5/1-8.5)

7 Sec. 1-8.5. Eligibility for medical assistance during  
8 periods of incarceration or detention.

9 (a) To the extent permitted by federal law and  
10 notwithstanding any other provision of this Code, the  
11 Department of Healthcare and Family Services shall not cancel a  
12 person's eligibility for medical assistance, nor shall the  
13 Department deny a person's application for medical assistance,  
14 solely because that person has become or is an inmate of a  
15 public institution, including, but not limited to, a county  
16 jail, juvenile detention center, or State correctional  
17 facility. The person may be and remain enrolled for medical  
18 assistance as long as all other eligibility criteria are met.

19 (b) The Department may adopt rules to permit a person to  
20 apply for medical assistance while he or she is an inmate of a  
21 public institution as described in subsection (a). The rules  
22 may limit applications to persons who would be likely to  
23 qualify for medical assistance if they resided in the

1 community. Any such person who is not already enrolled for  
2 medical assistance may apply for medical assistance prior to  
3 the date of scheduled release or discharge from a penal  
4 institution or county jail or similar status.

5 (c) Except as provided under Section 17 of the County Jail  
6 Act, the Department shall not be responsible to provide medical  
7 assistance under this Code for any medical care, services, or  
8 supplies provided to a person while he or she is an inmate of a  
9 public institution as described in subsection (a). The  
10 responsibility for providing medical care shall remain as  
11 otherwise provided by law with the Department of Corrections,  
12 county, or other arresting authority. The Department may seek  
13 federal financial participation, to the extent that it is  
14 available and with the cooperation of the Department of  
15 Juvenile Justice, the Department of Corrections, or the  
16 relevant county, for the costs of those services.

17 (d) To the extent permitted under State and federal law,  
18 the Department shall develop procedures to expedite required  
19 periodic reviews of continued eligibility for persons  
20 described in subsection (a).

21 (e) Counties, the Department of Juvenile Justice, the  
22 Department of Human Services, and the Department of Corrections  
23 shall cooperate with the Department in administering this  
24 Section. That cooperation shall include managing eligibility  
25 processing and sharing information sufficient to inform the  
26 Department, in a manner established by the Department, that a

1 person enrolled in the medical assistance program has been  
2 detained or incarcerated.

3 (f) The Department shall resume responsibility for  
4 providing medical assistance upon release of the person to the  
5 community as long as all of the following apply:

6 (1) The person is enrolled for medical assistance at  
7 the time of release.

8 (2) Neither a county, the Department of Juvenile  
9 Justice, the Department of Corrections, nor any other  
10 criminal justice authority continues to bear  
11 responsibility for the person's medical care.

12 (3) The county, the Department of Juvenile Justice, or  
13 the Department of Corrections provides timely notice of the  
14 date of release in a manner established by the Department.

15 (g) This Section applies on and after December 31, 2011.

16 (Source: P.A. 98-139, eff. 1-1-14.)

17 Section 10. The Unified Code of Corrections is amended by  
18 changing Section 3-14-1 as follows:

19 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

20 Sec. 3-14-1. Release from the Institution.

21 (a) Upon release of a person on parole, mandatory release,  
22 final discharge or pardon the Department shall return all  
23 property held for him, provide him with suitable clothing and  
24 procure necessary transportation for him to his designated

1 place of residence and employment. It may provide such person  
2 with a grant of money for travel and expenses which may be paid  
3 in installments. The amount of the money grant shall be  
4 determined by the Department.

5 (a-1) The Department shall, before a wrongfully imprisoned  
6 person, as defined in Section 3-1-2 of this Code, is discharged  
7 from the Department, provide him or her with any documents  
8 necessary after discharge, including an identification card  
9 under subsection (e) of this Section.

10 (a-2) The Department of Corrections may establish and  
11 maintain, in any institution it administers, revolving funds to  
12 be known as "Travel and Allowances Revolving Funds". These  
13 revolving funds shall be used for advancing travel and expense  
14 allowances to committed, paroled, and discharged prisoners.  
15 The moneys paid into such revolving funds shall be from  
16 appropriations to the Department for Committed, Paroled, and  
17 Discharged Prisoners.

18 (b) (Blank).

19 (c) Except as otherwise provided in this Code, the  
20 Department shall establish procedures to provide written  
21 notification of any release of any person who has been  
22 convicted of a felony to the State's Attorney and sheriff of  
23 the county from which the offender was committed, and the  
24 State's Attorney and sheriff of the county into which the  
25 offender is to be paroled or released. Except as otherwise  
26 provided in this Code, the Department shall establish

1 procedures to provide written notification to the proper law  
2 enforcement agency for any municipality of any release of any  
3 person who has been convicted of a felony if the arrest of the  
4 offender or the commission of the offense took place in the  
5 municipality, if the offender is to be paroled or released into  
6 the municipality, or if the offender resided in the  
7 municipality at the time of the commission of the offense. If a  
8 person convicted of a felony who is in the custody of the  
9 Department of Corrections or on parole or mandatory supervised  
10 release informs the Department that he or she has resided,  
11 resides, or will reside at an address that is a housing  
12 facility owned, managed, operated, or leased by a public  
13 housing agency, the Department must send written notification  
14 of that information to the public housing agency that owns,  
15 manages, operates, or leases the housing facility. The written  
16 notification shall, when possible, be given at least 14 days  
17 before release of the person from custody, or as soon  
18 thereafter as possible. The written notification shall be  
19 provided electronically if the State's Attorney, sheriff,  
20 proper law enforcement agency, or public housing agency has  
21 provided the Department with an accurate and up to date email  
22 address.

23 (c-1) (Blank).

24 (c-2) The Department shall establish procedures to provide  
25 notice to the Department of State Police of the release or  
26 discharge of persons convicted of violations of the

1 Methamphetamine Control and Community Protection Act or a  
2 violation of the Methamphetamine Precursor Control Act. The  
3 Department of State Police shall make this information  
4 available to local, State, or federal law enforcement agencies  
5 upon request.

6 (c-5) If a person on parole or mandatory supervised release  
7 becomes a resident of a facility licensed or regulated by the  
8 Department of Public Health, the Illinois Department of Public  
9 Aid, or the Illinois Department of Human Services, the  
10 Department of Corrections shall provide copies of the following  
11 information to the appropriate licensing or regulating  
12 Department and the licensed or regulated facility where the  
13 person becomes a resident:

14 (1) The mittimus and any pre-sentence investigation  
15 reports.

16 (2) The social evaluation prepared pursuant to Section  
17 3-8-2.

18 (3) Any pre-release evaluation conducted pursuant to  
19 subsection (j) of Section 3-6-2.

20 (4) Reports of disciplinary infractions and  
21 dispositions.

22 (5) Any parole plan, including orders issued by the  
23 Prisoner Review Board, and any violation reports and  
24 dispositions.

25 (6) The name and contact information for the assigned  
26 parole agent and parole supervisor.

1           This information shall be provided within 3 days of the  
2 person becoming a resident of the facility.

3           (c-10) If a person on parole or mandatory supervised  
4 release becomes a resident of a facility licensed or regulated  
5 by the Department of Public Health, the Illinois Department of  
6 Public Aid, or the Illinois Department of Human Services, the  
7 Department of Corrections shall provide written notification  
8 of such residence to the following:

9                   (1) The Prisoner Review Board.

10                   (2) The chief of police and sheriff in the municipality  
11 and county in which the licensed facility is located.

12           The notification shall be provided within 3 days of the  
13 person becoming a resident of the facility.

14           (d) Upon the release of a committed person on parole,  
15 mandatory supervised release, final discharge or pardon, the  
16 Department shall provide such person with information  
17 concerning programs and services of the Illinois Department of  
18 Public Health to ascertain whether such person has been exposed  
19 to the human immunodeficiency virus (HIV) or any identified  
20 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

21           (e) Upon the release of a committed person on parole,  
22 mandatory supervised release, final discharge, pardon, or who  
23 has been wrongfully imprisoned, the Department shall provide  
24 the person who has met the criteria established by the  
25 Department with an identification card identifying the person  
26 as being on parole, mandatory supervised release, final

1 discharge, pardon, or wrongfully imprisoned, as the case may  
2 be. The Department, in consultation with the Office of the  
3 Secretary of State, shall prescribe the form of the  
4 identification card, which may be similar to the form of the  
5 standard Illinois Identification Card. The Department shall  
6 inform the committed person that he or she may present the  
7 identification card to the Office of the Secretary of State  
8 upon application for a standard Illinois Identification Card in  
9 accordance with the Illinois Identification Card Act. The  
10 Department shall require the committed person to pay a \$1 fee  
11 for the identification card.

12 For purposes of a committed person receiving an  
13 identification card issued by the Department under this  
14 subsection, the Department shall establish criteria that the  
15 committed person must meet before the card is issued. It is the  
16 sole responsibility of the committed person requesting the  
17 identification card issued by the Department to meet the  
18 established criteria. The person's failure to meet the criteria  
19 is sufficient reason to deny the committed person the  
20 identification card. An identification card issued by the  
21 Department under this subsection shall be valid for a period of  
22 time not to exceed 30 calendar days from the date the card is  
23 issued. The Department shall not be held civilly or criminally  
24 liable to anyone because of any act of any person utilizing a  
25 card issued by the Department under this subsection.

26 The Department shall adopt rules governing the issuance of



1 identification cards to committed persons being released on  
2 parole, mandatory supervised release, final discharge, or  
3 pardon.

4 (f) No later than 90 days prior to the scheduled discharge  
5 of a person committed to the custody of the Department of  
6 Corrections, the Department shall give the person an  
7 opportunity to apply for medical assistance under Article V of  
8 the Illinois Public Aid Code, and shall provide assistance with  
9 completion of the application for medical assistance in  
10 accordance with Section 1-8.5 of the Illinois Public Aid Code.  
11 The Department may adopt rules to implement this Section.

12 (Source: P.A. 97-560, eff. 1-1-12; 97-813, eff. 7-13-12;  
13 98-267, eff. 1-1-14.)

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