

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) Forty-five days prior to the scheduled discharge of a
5 person committed to the custody of the Department of
6 Corrections, the Department shall give the person who is
7 otherwise uninsured an opportunity to apply for health care
8 coverage including medical assistance under Article V of the
9 Illinois Public Aid Code in accordance with subsection (b) of
10 Section 1-8.5 of the Illinois Public Aid Code, and the
11 Department of Corrections shall provide assistance with
12 completion of the application for health care coverage
13 including medical assistance. The Department may adopt rules to
14 implement this Section.

15 (Source: P.A. 97-560, eff. 1-1-12; 97-813, eff. 7-13-12;
16 98-267, eff. 1-1-14.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.