

1 reserve may not be obligated, encumbered, or expended.

2 (c) Any periodic transfers or expenditures that are
3 based upon amounts appropriated must be reduced to
4 accommodate a contingency reserve. Any necessary proration
5 of periodic payments from the General Revenue Fund shall be
6 distributed equally among the remaining payments for the
7 fiscal year.

8 (d) In this Section, "executive State agency that is
9 directly responsible to the Governor" means any office,
10 officer, division, or part thereof, and any other office,
11 nonelective officer, department, division, bureau, board, or
12 commission in the executive branch of State government,
13 except that it does not apply to any agency whose primary
14 function is service to the General Assembly or the Judicial
15 Branch of State government, or to any agency administered by
16 the Attorney General, Secretary of State, State Comptroller,
17 or State Treasurer.

18 (e) This Section applies only to appropriations for
19 State fiscal year 2002.

20 Section 95. The Illinois Public Aid Code is amended by
21 changing Section 5-5b as follows:

22 (305 ILCS 5/5-5b) (from Ch. 23, par. 5-5b)
23 Sec. 5-5b. Payment Reductions.

24 (a) Notwithstanding any other Section in this Code
25 establishing a methodology for determining payment rates or
26 dispensing fees for non-institutional services provided under
27 this Code, the Illinois Department is authorized to reduce
28 those payment rates or dispensing fees with due regard for
29 and subject to budgetary limitations to the extent permitted
30 by federal law.

31 (a-5) Notwithstanding any other Section in this Code
32 establishing a methodology for determining payment rates for

1 services specified in subsection (1) of Section 5-5.4 and
2 subsection (a) of Section 14-8 of this Code, the Illinois
3 Department may, by emergency rule filed before April 1, 2002,
4 adjust those payment rates to a level not more than 5% below
5 the rates in effect on July 1, 2001, with due regard for and
6 subject to budgeting limitations to the extent permitted by
7 federal law.

8 (b) The Illinois Department may implement this Section
9 ~~as-added-by-this-amendatory-Act-of-1991~~ through the use of
10 emergency rules in accordance with the provisions of Section
11 ~~5-02--of~~ the Illinois Administrative Procedure Act. For
12 purposes of the Illinois Administrative Procedure Act, the
13 adoption of rules to implement this Section ~~as-added-by-this~~
14 ~~amendatory-Act-of-1991~~ shall be deemed an emergency and
15 necessary for the public interest, safety and welfare.

16 (Source: P.A. 87-14.)

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