

1 AMENDMENT TO SENATE BILL 130

2 AMENDMENT NO. _____. Amend Senate Bill 130 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Children's Health Insurance Program Act
5 is amended by changing Sections 20 and 40 as follows:

6 (215 ILCS 106/20)

7 (Section scheduled to be repealed on July 1, 2003)

8 Sec. 20. Eligibility.

9 (a) To be eligible for this Program, a person must be a
10 person who has a child eligible under this Act and who is
11 eligible under a waiver of federal requirements pursuant to
12 an application made pursuant to subdivision (a)(1) of Section
13 40 of this Act or who is a child who:

14 (1) is a child who is not eligible for medical
15 assistance;

16 (2) is a child whose annual household income, as
17 determined by the Department, is above 133% of the
18 federal poverty level and at or below 200% ~~185%~~ of the
19 federal poverty level;

20 (3) is a resident of the State of Illinois; and

21 (4) is a child who is either a United States
22 citizen or included in one of the following categories of

1 non-citizens:

2 (A) unmarried dependent children of either a
3 United States Veteran honorably discharged or a
4 person on active military duty;

5 (B) refugees under Section 207 of the
6 Immigration and Nationality Act;

7 (C) asylees under Section 208 of the
8 Immigration and Nationality Act;

9 (D) persons for whom deportation has been
10 withheld under Section 243(h) of the Immigration
11 and Nationality Act;

12 (E) persons granted conditional entry under
13 Section 203(a)(7) of the Immigration and Nationality
14 Act as in effect prior to April 1, 1980;

15 (F) persons lawfully admitted for permanent
16 residence under the Immigration and Nationality Act;
17 and

18 (G) parolees, for at least one year, under
19 Section 212(d)(5) of the Immigration and Nationality
20 Act.

21 Those children who are in the categories set forth in
22 subdivisions (4)(F) and (4)(G) of this subsection, who enter
23 the United States on or after August 22, 1996, shall not be
24 eligible for 5 years beginning on the date the child entered
25 the United States.

26 (b) A child who is determined to be eligible for
27 assistance may remain eligible for 12 months, provided the
28 child maintains his or her residence in the State, has not
29 yet attained 19 years of age, and is not excluded pursuant to
30 subsection (c). A child who has been determined to be
31 eligible for assistance must reapply or otherwise establish
32 eligibility at least annually. An eligible child shall be
33 required, as determined by the Department by rule, to report
34 promptly those changes in income and other circumstances that

1 affect eligibility. The eligibility of a child may be
2 redetermined based on the information reported or may be
3 terminated based on the failure to report or failure to
4 report accurately. A child's responsible relative or
5 caretaker may also be held liable to the Department for any
6 payments made by the Department on such child's behalf that
7 were inappropriate. An applicant shall be provided with
8 notice of these obligations.

9 (c) A child shall not be eligible for coverage under
10 this Program if:

11 (1) the premium required pursuant to Section 30 of
12 this Act has not been paid. If the required premiums are
13 not paid the liability of the Program shall be limited to
14 benefits incurred under the Program for the time period
15 for which premiums had been paid. If the required
16 monthly premium is not paid, the child shall be
17 ineligible for re-enrollment for a minimum period of 3
18 months. Re-enrollment shall be completed prior to the
19 next covered medical visit and the first month's required
20 premium shall be paid in advance of the next covered
21 medical visit. The Department shall promulgate rules
22 regarding grace periods, notice requirements, and hearing
23 procedures pursuant to this subsection;

24 (2) the child is an inmate of a public institution
25 or a patient in an institution for mental diseases; or

26 (3) the child is a member of a family that is
27 eligible for health benefits covered under the State of
28 Illinois health benefits plan on the basis of a member's
29 employment with a public agency.

30 (Source: P.A. 92-597, eff. 6-28-02.)

31 (215 ILCS 106/40)

32 (Section scheduled to be repealed on July 1, 2003)

33 Sec. 40. Waivers.

1 (a) The Department shall request any necessary waivers
2 of federal requirements in order to allow receipt of federal
3 funding for:

4 (1) the coverage of families with eligible children
5 under this Act; and

6 (2) for the coverage of children who would
7 otherwise be eligible under this Act, but who have health
8 insurance.

9 (b) The failure of the responsible federal agency to
10 approve a waiver for children who would otherwise be eligible
11 under this Act but who have health insurance shall not
12 prevent the implementation of any Section of this Act
13 provided that there are sufficient appropriated funds.

14 (c) Eligibility of a person under an approved waiver due
15 to the relationship with a child pursuant to Article V of the
16 Illinois Public Aid Code or this Act shall be limited to such
17 a person whose countable income is determined by the
18 Department to be at or below such income eligibility standard
19 as the Department by rule shall establish. The income level
20 established by the Department shall not be below 90% 65% of
21 the federal poverty level. Such persons who are determined
22 to be eligible must reapply, or otherwise establish
23 eligibility, at least annually. An eligible person shall be
24 required, as determined by the Department by rule, to report
25 promptly those changes in income and other circumstances that
26 affect eligibility. The eligibility of a person may be
27 redetermined based on the information reported or may be
28 terminated based on the failure to report or failure to
29 report accurately. A person may also be held liable to the
30 Department for any payments made by the Department on such
31 person's behalf that were inappropriate. An applicant shall
32 be provided with notice of these obligations.

33 (Source: P.A. 92-597, eff. 6-28-02.)

1 (215 ILCS 106/97 rep.)

2 Section 10. The Children's Health Insurance Program Act
3 is amended by repealing Section 97.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law."