

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended
5 by changing Section 9.1 as follows:

6 (20 ILCS 505/9.1) (from Ch. 23, par. 5009.1)

7 Sec. 9.1. The parents or guardians of the estates of
8 children accepted for care and training under the Juvenile
9 Court Act or the Juvenile Court Act of 1987, or through a
10 voluntary placement agreement with the parents or guardians
11 shall be liable for the payment to the Department, or to a
12 licensed or approved child care facility designated by the
13 Department of sums representing charges for the care and
14 training of those children at a rate to be determined by the
15 Department. The Department shall establish a standard by which
16 shall be measured the ability of parents or guardians to pay
17 for the care and training of their children, and shall
18 implement the standard by rules governing its application. The
19 standard and the rules shall take into account ability to pay
20 as measured by annual income and family size. Medical or other
21 treatment provided on behalf of the family may also be taken
22 into account in determining ability to pay if the Department
23 concludes that such treatment is appropriate.

1 In addition, the Department may provide by rule for
2 referral of Title IV-E foster care maintenance cases to the
3 Department of Healthcare and Family Services for child support
4 enforcement services under Title IV-D of the Social Security
5 Act. The Department shall consider "good cause" as defined in
6 regulations promulgated under Title IV-A of the Social Security
7 Act, among other criteria, when determining whether to refer a
8 case and, upon referral, the parent or guardian of the estate
9 of a child who is receiving Title IV-E foster care maintenance
10 payments shall be deemed to have made an assignment to the
11 Department of any and all rights, title and interest in any
12 support obligation on behalf of a child. The rights to support
13 assigned to the Department shall constitute an obligation owed
14 the State by the person who is responsible for providing the
15 support, and shall be collectible under all applicable
16 processes.

17 The acceptance of children for services or care shall not
18 be limited or conditioned in any manner on the financial status
19 or ability of parents or guardians to make such payments.

20 The Department is authorized to enter into
21 intergovernmental agreements with any county on behalf of its
22 probation and court services department to provide services for
23 the federal Title IV-E Foster Care Reimbursement Assistance
24 Program. The Department may limit the number of counties to no
25 less than 10 for State Fiscal Year 2009 and must add no less
26 than 10 counties for each succeeding fiscal year until all

1 counties are included.

2 (Source: P.A. 95-331, eff. 8-21-07.)