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SENATE JOINT RESOLUTION

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WHEREAS, In an effort to address unsustainable growth in the Medicaid program and to improve the care provided to Medicaid enrollees, a bipartisan group of legislators worked with the Department of Healthcare and Family Services to craft comprehensive Medicaid reforms in early 2011; and

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WHEREAS, Governor Quinn referred to these reforms as a "landmark achievement" when he signed them into law on January 25, 2011 after they had passed the Senate by a vote of 58-0-1 and the House of Representatives by a vote of 111-4-2; and

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WHEREAS, Included in these landmark reforms were provisions to require Medicaid applicants to submit one month of income data and proof of Illinois residency when applying for Medicaid coverage; and

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WHEREAS, The Department of Healthcare and Family Services has not implemented these key reforms due to communication from the Centers for Medicare and Medicaid Services indicating that the residency and income verification may violate Medicaid Maintenance of Effort (MOE) provisions contained in the Patient Protection and Affordable Care Act; and

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WHEREAS, The Department of Healthcare and Family Services

1 has not requested a waiver to formally ask for the  
2 implementation of these reforms despite requests from members  
3 of the General Assembly to request such a waiver; and

4 WHEREAS, One of the reasons provided by the Department of  
5 Healthcare and Family Services for not submitting a waiver for  
6 the income and residency requirements contained in the Medicaid  
7 reforms is a lack of agency manpower to submit such waivers;  
8 and

9 WHEREAS, In an effort to work with the Department of  
10 Healthcare and Family Services to address staffing issues,  
11 Senate Bill 1762 was passed in November of 2011 and signed into  
12 law as Public Act 97-649 to provide flexibility outside of the  
13 Personnel Code to allow the Department to hire employees with  
14 experience in administration, information technology, and  
15 healthcare financing to facilitate implementation of Medicaid  
16 reforms; and

17 WHEREAS, Also included in the landmark Medicaid reforms was  
18 a provision to place a 2-year moratorium on the expansion of  
19 Medicaid eligibility, thus enacting a 2-year moratorium  
20 through January 25, 2013; and

21 WHEREAS, Despite this moratorium, the Department of  
22 Healthcare and Family Services officially submitted a waiver

1 request to the federal government in January of 2012 to expand  
2 Medicaid eligibility in Cook County to individuals currently  
3 not eligible for Medicaid coverage; and

4 WHEREAS, The implementation of all of the landmark  
5 bipartisan Medicaid reforms remains a key to addressing the  
6 ever expanding backlog of unpaid Medicaid bills, which  
7 according to the Department of Healthcare and Family Services  
8 could reach \$21 billion by the end of FY 2017; and

9 WHEREAS, numerous other reforms also remain to be  
10 implemented, including coordination of care for high risks moms  
11 and babies, creation of a Medicaid transparency portal, payment  
12 recapture audits, use of durable medical cards, civil remedies  
13 for fraud, copayment requirements for unauthorized use of  
14 emergency rooms, enhanced third-party liability provisions,  
15 and the creation of a specialty drug program for high cost  
16 medications; therefore, be it

17 RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL  
18 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES  
19 CONCURRING HEREIN, that we recommend that the Department of  
20 Healthcare and Family Services formally file a Medicaid waiver  
21 to implement the income and residency requirements and all  
22 other provisions of Public Act 96-1501 that may require a  
23 waiver; and be it further

1           RESOLVED, That the Department of Healthcare and Family  
2 Services should timely submit to the Centers for Medicare and  
3 Medicaid Services any and all State Plan amendments necessary  
4 to implement all reform provisions included in Public Act  
5 96-1501; and be it further

6           RESOLVED, That we urge the Department of Healthcare and  
7 Family Services to fully implement all previously enacted  
8 reforms to address the unsustainable growth in the Medicaid  
9 program and to improve the quality of care provided to program  
10 participants; and be it further

11           RESOLVED, That suitable copies of this resolution be  
12 presented to the Governor, the Director of the Department of  
13 Healthcare and Family Services, and to the members of the  
14 Illinois Congressional delegation.