



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2558

Introduced 2/4/2025, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-2b

Amends the Medical Assistance Article of the Illinois Public Aid Code. In provisions concerning provider reimbursement rates for services provided to medically fragile and technology dependent children, provides that by December 31, 2025, the Department of Healthcare and Family Services shall conduct a rate evaluation to study the soundness of the rate paid for private duty nursing services. Requires the Department to contract with an outside entity to conduct this study or utilize one of its existing contractors to conduct this evaluation. Provides that the contractor shall consult with Department-enrolled private duty providers to ensure the accuracy of this study as it is being created. Requires the study to include, at a minimum, a comparison of rates paid by other states for similar services and the cost of providing similar care in an institutional setting. Effective immediately.

LRB104 06253 KTG 16288 b

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 5-2b as follows:

6 (305 ILCS 5/5-2b)

7 Sec. 5-2b. Medically fragile and technology dependent
8 children eligibility and program; provider reimbursement
9 rates.

10 (a) Notwithstanding any other provision of law except as
11 provided in Section 5-30a, on and after September 1, 2012,
12 subject to federal approval, medical assistance under this
13 Article shall be available to children who qualify as persons
14 with a disability, as defined under the federal Supplemental
15 Security Income program and who are medically fragile and
16 technology dependent. The program shall allow eligible
17 children to receive the medical assistance provided under this
18 Article in the community and must maximize, to the fullest
19 extent permissible under federal law, federal reimbursement
20 and family cost-sharing, including co-pays, premiums, or any
21 other family contributions, except that the Department shall
22 be permitted to incentivize the utilization of selected
23 services through the use of cost-sharing adjustments. The

1 Department shall establish the policies, procedures,
2 standards, services, and criteria for this program by rule.

3 (b) Notwithstanding any other provision of this Code,
4 subject to federal approval, on and after January 1, 2024, the
5 reimbursement rates for nursing paid through Nursing and
6 Personal Care Services for non-waiver customers and to
7 providers of private duty nursing services for children
8 eligible for medical assistance under this Section shall be
9 20% higher than the reimbursement rates in effect for nursing
10 services on December 31, 2023.

11 (c) Notwithstanding any other provision of this Code,
12 subject to federal approval, on and after January 1, 2025, the
13 reimbursement rates for nursing paid through Nursing and
14 Personal Care Services for non-waiver customers and to
15 providers of private duty nursing services for children
16 eligible for medical assistance under this Section shall be 7%
17 higher than the reimbursement rates in effect for nursing
18 services on December 31, 2024.

19 (d) Rate study. By December 31, 2025, the Department shall
20 conduct a rate evaluation to study the soundness of the rate
21 paid for private duty nursing services. The Department shall
22 contract with an outside entity to conduct this study or
23 utilize one of its existing contractors to conduct this
24 evaluation. The contractor shall consult with
25 Department-enrolled private duty providers to ensure the
26 accuracy of this study as it is being created. The study shall

1 include, at a minimum, a comparison of rates paid by other
2 states for similar services and the cost of providing similar
3 care in an institutional setting.

4 (Source: P.A. 103-102, eff. 1-1-24; 103-593, eff. 6-7-24.)

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