



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3734

Introduced 2/22/2021, by Rep. Fred Crespo

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-30.15 new

Amends the Illinois Public Aid Code. Provides that capitation rates established by the Department of Healthcare and Family Services for managed care organizations shall be reduced by 20% for the duration of a disaster proclamation, and any subsequent disaster proclamation, issued by the Governor in response to the COVID-19 public health emergency. Requires the Department to reduce future capitation payments to managed care organizations on a prorated basis to reflect any amounts paid by the Department before the effective date of the amendatory Act that were in excess of the lower capitation rates authorized by the amendatory Act. Provides that the amendatory Act applies to capitation rates in effect during a disaster period established by the Gubernatorial Disaster Proclamation issued by the Governor on March 9, 2020 concerning the COVID-19 public health emergency and any subsequent Gubernatorial Disaster Proclamation issued by the Governor in response to the COVID-19 public health emergency. Effective immediately.

LRB102 14180 KTG 19532 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 adding Section 5-30.15 as follows:

6 (305 ILCS 5/5-30.15 new)

7 Sec. 5-30.15. COVID-19 public health emergency; capitated  
8 payment reduction.

9 (a) In this Section:

10 "COVID-19" means the novel coronavirus disease deemed  
11 COVID-19 by the World Health Organization on February 11,  
12 2020.

13 "Disaster" has the meaning ascribed to that term in  
14 Section 4 of the Illinois Emergency Management Agency Act.

15 "Managed care organization" has the meaning ascribed to  
16 that term in Section 5-30.1.

17 "Public health emergency" has the meaning ascribed to that  
18 term in Section 4 of the Illinois Emergency Management Agency  
19 Act.

20 (b) Capitation rates established by the Department for  
21 managed care organizations shall be reduced by 20% for the  
22 duration of a disaster proclamation, and any subsequent  
23 disaster proclamation, issued by the Governor in response to

1 the COVID-19 public health emergency.

2 (c) The Department shall reduce future capitation payments  
3 to managed care organizations on a prorated basis to reflect  
4 any amounts paid by the Department before the effective date  
5 of this amendatory Act of the 102nd General Assembly that were  
6 in excess of the lower capitation rates authorized under  
7 subsection (a).

8 (d) This Section applies to capitation rates in effect  
9 during a disaster period established by the Gubernatorial  
10 Disaster Proclamation issued by the Governor on March 9, 2020  
11 concerning the COVID-19 public health emergency and any  
12 subsequent Gubernatorial Disaster Proclamation issued by the  
13 Governor in response to the COVID-19 public health emergency.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.