



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5084

Introduced 2/8/2024, by Rep. Lilian Jiménez

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-25
305 ILCS 5/12-4.7b

Amends the Department of Human Services Act. In provisions concerning the Women, Infants, and Children (WIC) Nutrition Program, removes a provision requiring the Department of Human Services to report quarterly to the Governor and the General Assembly on the status of obligations and expenditures of the WIC nutrition program appropriation and make recommendations on actions necessary to expend all available federal funds. Amends the Administration Article of the Illinois Public Aid Code. In provisions requiring the Department of Human Services to enter into intergovernmental agreements with the Illinois Department of Corrections, the Cook County Department of Corrections, and the office of the sheriff of every other county, removes a requirement that the Department conduct monthly exchanges of information with the specified agencies in order to determine if an assistance unit receiving public aid includes an individual who is an inmate of a correctional institution, facility, or jail. Removes a requirement that the Department of Human Services exchange information with the office of the sheriff of every county and instead requires the Department to exchange information with the office of the sheriff to the extent available. Requires the Department to review each individual prior to authorizing benefits at application and redetermination to verify eligibility for benefits under the Code (rather than requiring the Department to review each month the entire list of individuals generated by the monthly exchange and verify the eligibility for benefits under the Code for each individual on the list).

LRB103 39089 KTG 69227 b

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 Department of Human Services Act is amended
5 by changing Section 10-25 as follows:

6 (20 ILCS 1305/10-25)

7 Sec. 10-25. Women, Infants, and Children Nutrition
8 Program.

9 (a) The Department shall participate in the Women, Infants
10 and Children Nutrition program of the federal government to
11 the maximum extent permitted by the federal appropriation and
12 allocation to the State of Illinois. In order to efficiently
13 process electronically issued WIC benefits, the Department may
14 use an account held outside of the state treasury for the
15 deposit and issuance of WIC benefits. ~~The Department shall~~
16 ~~report quarterly to the Governor and the General Assembly the~~
17 ~~status of obligations and expenditures of the WIC nutrition~~
18 ~~program appropriation and make recommendations on actions~~
19 ~~necessary to expend all available federal funds.~~ Other
20 appropriations and funds from any public or private source in
21 addition to federal funds may be used by the Department for the
22 purpose of maximum participation in the WIC nutrition program.

23 (b) The Department shall maintain a drug abuse education

1 program for participants in the Women, Infants and Children
2 Nutrition Program. The program shall include but need not be
3 limited to (1) the provision of information concerning the
4 dangers of drug abuse and (2) the referral of participants who
5 are suspected drug abusers to drug abuse clinics, treatment
6 programs, counselors or other drug abuse treatment providers.

7 (c) The Department shall cooperate with the Department of
8 Public Health for purposes of the smoking cessation program
9 for participants in the Women, Infants and Children Nutrition
10 Program maintained by the Department of Public Health under
11 Section 2310-435 of the Department of Public Health Powers and
12 Duties Law (20 ILCS 2310/2310-435).

13 (d) The Department may contract with any bank as defined
14 by the Illinois Banking Act to redeem bank drafts issued by the
15 Department under the United States Department of Agriculture
16 Special Supplemental Food Program for Women, Infants and
17 Children (WIC). Any bank with which the Department has entered
18 into a contract to redeem bank drafts may receive, pursuant to
19 an appropriation to the Department, an initial advance and
20 periodic payment of funds for the Women, Infants and Children
21 Program in amounts determined by the Secretary.
22 Notwithstanding any other law, such funds shall be retained in
23 a separate account by the bank. Any interest earned by monies
24 in such account shall accrue to the USDA Women, Infants and
25 Children Fund and shall be used exclusively for the redemption
26 of bank drafts issued by the Department. WIC program food

1 funds received by the bank from the Department shall be used
2 exclusively for the redemption of bank drafts. The bank shall
3 not use such food funds, or interest accrued thereon, for any
4 other purpose including, but not limited to, reimbursement of
5 administrative expenses or payments of administrative fees due
6 the bank pursuant to its contract or contracts with the
7 Department.

8 Such initial and periodic payments by the Department to
9 the bank shall be effected, pursuant to an appropriation, in
10 an amount needed for the redemption of bank drafts issued by
11 the Department under the United States Department of
12 Agriculture Special Supplemental Food Program for Women,
13 Infants and Children in any initial or succeeding period. The
14 State Comptroller shall, upon presentation by the Secretary of
15 adequate certification of funds needed for redemption of bank
16 drafts, promptly draw a warrant payable to the bank for
17 deposit to the separate account of the bank. Such
18 certification may be in magnetic tape or computer output form,
19 indicating the amount of the total payment made by the bank for
20 the redemption of bank drafts from funds provided to the bank
21 under this Section.

22 The separate account of the bank established under this
23 Section, any payments to that account, and the use of such
24 account and funds shall be subject to (1) audit by the
25 Department or a private contractor authorized by the
26 Department to conduct audits, including but not limited to

1 such audits as may be required by State law, (2) audit by the
2 federal government or a private contractor authorized by the
3 federal government, and (3) post audit pursuant to the
4 Illinois State Auditing Act.

5 (e) The Department may include a program of lactation
6 support services as part of the benefits and services provided
7 for pregnant and breast feeding participants in the Women,
8 Infants and Children Nutrition Program. The program may
9 include payment for breast pumps, breast shields, or any
10 supply deemed essential for the successful maintenance of
11 lactation, as well as lactation specialists who are registered
12 nurses, licensed dietitians, or persons who have successfully
13 completed a lactation management training program.

14 (f) The Department shall coordinate the operation of the
15 Women, Infants and Children program with the Medicaid program
16 by interagency agreement whereby each program provides
17 information about the services offered by the other to
18 applicants for services.

19 (Source: P.A. 101-636, eff. 6-10-20.)

20 Section 10. The Illinois Public Aid Code is amended by
21 changing Section 12-4.7b as follows:

22 (305 ILCS 5/12-4.7b)

23 Sec. 12-4.7b. Exchanges of information; inmates. The
24 Department shall enter into intergovernmental agreements to

1 conduct ~~monthly~~ exchanges of information with the Illinois
2 Department of Corrections, the Cook County Department of
3 Corrections, and the office of the sheriff to the extent
4 available ~~of every other county~~ to determine whether any
5 individual included in an assistance unit receiving public aid
6 under any Article of this Code is an inmate in a facility
7 operated by the Illinois Department of Corrections, the Cook
8 County Department of Corrections, or a county sheriff. The
9 Illinois Department of Corrections, the Cook County Department
10 of Corrections, and the office of the sheriff of every other
11 county shall honor all intergovernmental agreements with the
12 Department under this Section and shall provide all required
13 information in a timely manner. The Department shall review
14 each individual prior to authorizing benefits at application
15 and redetermination to verify ~~each month the entire list of~~
16 ~~individuals generated by the monthly exchange and shall verify~~
17 ~~the~~ eligibility for benefits under this Code ~~for each~~
18 ~~individual on the list~~. The Department shall terminate
19 benefits under this Code for any individual determined to be
20 ineligible by this ~~monthly~~ review. The Department shall use
21 any legal means available to recoup as an overpayment any
22 assistance provided to an individual for any period during
23 which he or she was ineligible to receive the assistance.

24 (Source: P.A. 101-115, eff. 7-22-19.)