

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 Sections 5-2.05 and 5-2.4 as follows:

6 (305 ILCS 5/5-2.05 new)

7 Sec. 5-2.05. Use of Medicaid spend-down. Persons
8 described in item 2(a) of Section 5-2, who fail to qualify
9 for basic maintenance under Article III of this Code on the
10 basis of need because of excess income or assets, or both,
11 may establish prospective eligibility for that basic
12 maintenance by prepaying their monthly spend-down amount
13 under this Article (as described in 42 CFR 435.831) to the
14 Department of Public Aid or by having a third party pay that
15 amount to the Department. The Department shall establish
16 appropriate procedures to permit such a prepayment of
17 spend-down amounts.

18 (305 ILCS 5/5-2.4 new)

19 Sec. 5-2.4. Determination of spend-down eligibility. In
20 the case of community-based services, long-term care
21 services, and services received in a supportive living
22 facility described in Section 5-5.01a, when determining
23 whether a person has met a spend-down requirement for
24 eligibility under paragraph 2 of Section 5-2, the Department
25 of Public Aid shall allow bills for those services at the
26 usual, customary, or competitive rate for community-based
27 services, as funded by the Department of Human Services and
28 as established by the community-based service provider as
29 part of the provider's policy and procedure concerning the
30 establishment of fees for services.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.