

1 AN ACT in relation to 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 Sections 11-1, 11-4, 11-6, 11-7, 11-16, and 11-20.1
6 as follows:

7 (305 ILCS 5/11-1) (from Ch. 23, par. 11-1)

8 Sec. 11-1. No discrimination). There shall be no
9 discrimination or denial of financial aid and social services
10 on account of the race, religion, color, national origin,
11 sex, marriage status, or political affiliation of any
12 applicant or recipient.

13 Where financial aid or social services are granted to
14 certain classes of persons under a program for which federal
15 funds are available, nothing in this Section shall require
16 granting of financial aid or social services to other persons
17 where federal funds would not be available as to those other
18 persons.

19 (Source: P.A. 80-354.)

20 (305 ILCS 5/11-4) (from Ch. 23, par. 11-4)

21 Sec. 11-4. Applications; assistance in making
22 applications. An application for public assistance or
23 recertification for public assistance shall be deemed an
24 application for all such benefits to which any person may be
25 entitled except to the extent that the applicant expressly
26 declines in writing to apply for particular benefits and
27 identifies in writing by name of benefit program the benefits
28 that are declined. Upon filing an application, an applicant
29 must be given a copy of his or her application with a cover
30 sheet identifying whether the applicant has applied for cash

1 assistance, medical assistance, or Food Stamp benefits, or
2 any combination of those. Within 21 days after filing his or
3 her original application, an applicant may request assistance
4 under additional programs based on his or her original
5 application date. The Illinois Department shall provide
6 information in writing about all benefits provided under this
7 Code to any person seeking public assistance. The Illinois
8 Department shall also provide information in writing and
9 orally to all applicants about an election to have financial
10 aid deposited directly in a recipient's savings account or
11 checking account or in any electronic benefits account or
12 accounts as provided in Section 11-3.1, to the extent that
13 those elections are actually available, including information
14 on any programs administered by the State Treasurer to
15 facilitate or encourage the distribution of financial aid by
16 direct deposit or electronic benefits transfer. The Illinois
17 Department shall determine the applicant's eligibility for
18 cash assistance, medical assistance and food stamps unless
19 the applicant expressly declines in writing to apply for
20 particular benefits. The Illinois Department shall adopt
21 policies and procedures to facilitate timely changes between
22 programs that result from changes in categorical eligibility
23 factors.

24 The County departments, local governmental units and the
25 Illinois Department shall not discourage persons from making
26 applications for benefits and shall assist applicants for
27 public assistance to properly complete their applications.
28 Such assistance shall include, but not be limited to,
29 assistance in securing evidence in support of their
30 eligibility.

31 (Source: P.A. 88-232.)

32 (305 ILCS 5/11-6) (from Ch. 23, par. 11-6)

33 Sec. 11-6. Decisions on applications. Within 10 days

1 after a decision is reached on an application, the applicant
2 shall be notified in writing of the decision. The Department
3 shall consider eligibility for, and the notice shall contain
4 a decision on, each of the following assistance programs for
5 which the client may be eligible based on the information
6 contained in the application: Temporary Assistance to Needy
7 Families, Medical Assistance, Aid to the Aged, Blind and
8 Disabled, General Assistance (in the City of Chicago), and
9 food stamps. No decision shall be required for any
10 assistance program for which the applicant has expressly
11 declined in writing to apply. If the applicant is determined
12 to be eligible, the notice shall include a statement of the
13 amount of financial aid to be provided and a statement of the
14 reasons for any partial grant amounts. The written notice
15 must include the calculations used by the Department to
16 arrive at its decision. If the applicant is determined
17 ineligible for any public assistance the notice shall include
18 the reason why the applicant is ineligible. The written
19 notice must include the calculations used by the Department
20 to arrive at its decision. If the application for any public
21 assistance is denied, the notice shall include a statement
22 defining the applicant's right to appeal the decision. The
23 Illinois Department, by rule, shall determine the date on
24 which assistance shall begin for applicants determined
25 eligible. That date may be no later than 30-days--after the
26 date of the application.

27 Under no circumstances may any application be denied
28 solely to meet an application-processing deadline.

29 (Source: P.A. 90-17, eff. 7-1-97.)

30 (305 ILCS 5/11-7) (from Ch. 23, par. 11-7)

31 Sec. 11-7. Notice of decisions to terminate aid -
32 determination and notice of other medical assistance
33 available - additional notice in cases of blind persons.

1 The Department shall establish procedures for review of
2 any case in which it proposes to terminate benefits for
3 reasons other than financial eligibility or the death of the
4 recipient to determine whether the proposed termination
5 complies with Department policies and procedures. After that
6 review and before issuing a notice of termination, the
7 Department must advise the recipient of the reason or reasons
8 for the proposed termination and offer the recipient an
9 opportunity to provide information regarding eligibility, to
10 show good cause for failure to comply with eligibility or
11 program requirements, and to bring himself or herself into
12 compliance with those requirements. If the recipient shows
13 eligibility, good cause, or compliance, the Department may
14 not proceed with the termination process.

15 Whenever decision is made to terminate aid, the recipient
16 shall be notified in writing within 10 days following the
17 decision. The notice shall set out the specific reasons for
18 the termination. In the case of a blind person, the notice
19 and statement of reasons shall be sent whenever aid is
20 withdrawn, suspended, revoked, or in any way changed.

21 The notice shall include a statement defining the
22 recipient's right to appeal.

23 Before any notice to terminate medical assistance is
24 issued, the Illinois Department shall determine whether the
25 recipient is newly eligible for any other medical assistance
26 offered by the Illinois Department. For all recipients found
27 eligible as a result of this determination for other medical
28 assistance offered by the Illinois Department, the Illinois
29 Department shall provide other medical assistance effective
30 as of the date of the termination of the prior medical
31 assistance.

32 Before a notice to terminate cash assistance is issued,
33 the Department of Human Services must determine whether the
34 recipient is newly eligible for any other cash assistance

1 offered by the Department. For all recipients found eligible
2 as a result of this determination, the Department must
3 provide other cash assistance effective as of the date of the
4 termination of the prior cash assistance.

5 Before a notice to terminate cash assistance is issued,
6 the Department of Human Services must determine whether the
7 recipient is eligible for an increase in Food Stamp
8 assistance due to the termination of cash assistance. For all
9 recipients found eligible for a Food Stamp assistance
10 increase as a result of this determination, the Department
11 must provide increased Food Stamp assistance effective as of
12 the date of the termination of the cash assistance.

13 (Source: P.A. 87-630.)

14 (305 ILCS 5/11-16) (from Ch. 23, par. 11-16)

15 Sec. 11-16. Changes in grants; cancellations,
16 revocations, suspensions.

17 (a) All grants of financial aid under this Code shall be
18 considered as frequently as may be required by the rules of
19 the Illinois Department. The Department of Public Aid shall
20 consider grants of financial aid to children who are eligible
21 under Article V of this Code at least annually and shall take
22 into account those reports filed, or required to be filed,
23 pursuant to Sections 11-18 and 11-19. After such
24 investigation as may be necessary, the amount and manner of
25 giving aid may be changed or the aid may be entirely
26 withdrawn if the County Department, local governmental unit,
27 or Illinois Department finds that the recipient's
28 circumstances have altered sufficiently to warrant such
29 action. Financial aid may at any time be increased, reduced,
30 canceled, or revoked for cause or suspended for such period
31 as may be proper. At least 10 days before any change takes
32 effect, the recipient must be notified in writing of the
33 impending change in benefits and the reasons for the change.

1 The written notice must include the calculations used by the
2 Department to arrive at its decision.

3 (b) Whenever any such grant of financial aid is
4 cancelled, revoked, reduced, or terminated because of the
5 failure of the recipient to cooperate with the Department,
6 including but not limited to the failure to keep an
7 appointment, attend a meeting, or produce proof or
8 verification of eligibility or need, the grant shall be
9 reinstated in full, retroactive to the date of the change in
10 or termination of the grant, provided that within 10 working
11 days after the first day the financial aid would have been
12 available, the recipient cooperates with the Department and
13 is not otherwise ineligible for benefits for the period in
14 question. This subsection (b) does not apply to sanctions
15 imposed for the failure of any recipient to participate as
16 required in the child support enforcement program or in any
17 educational, training, or employment program under this Code
18 or any other sanction under Section 4-21, nor does this
19 subsection (b) apply to any cancellation, revocation,
20 reduction, termination, or sanction imposed for the failure
21 of any recipient to cooperate in the monthly reporting
22 process or the quarterly reporting process.

23 (Source: P.A. 91-357, eff. 7-29-99; 92-597, eff. 6-28-02.)

24 (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

25 Sec. 11-20.1. Employment; Rights of recipient and
26 obligations of Illinois Department when recipients become
27 employed; Assistance when a recipient has employment or
28 earned income or both.

29 (a) When a recipient reports employment or earned
30 income, or both, or the Illinois Department otherwise learns
31 of a recipient's employment or earned income, or both, the
32 Illinois Department shall provide the recipient with:

33 (1) An explanation of how the earned income will

1 affect the recipient's eligibility for a grant, and
2 whether the recipient must engage in additional work
3 activities to meet the recipient's monthly work
4 activities requirement and what types of activities may
5 be approved for that purpose, and whether the employment
6 is sufficient to cause months of continued receipt of a
7 grant not to be counted against the recipient's lifetime
8 eligibility limit.

9 (2) An explanation of the Work Pays budgeting
10 process, and an explanation of how the first month's
11 income on a new job will be projected, and how the
12 recipient should report the new job to avoid the
13 Department overestimating the first month's income.

14 (3) An explanation of how the earned income will
15 affect the recipient's eligibility for food stamps,
16 whether the recipient will continue to receive food
17 stamps, and, if so, the amount of food stamps.

18 (4) The names and telephone numbers of all
19 caseworkers to whom the recipient's case or cases are
20 assigned or will be transferred, an explanation of which
21 type of case each worker will be handling, and the
22 effective date of the transfer.

23 (5) An explanation of the recipient's
24 responsibilities to report income and household
25 circumstances, the process by which quarterly reporting
26 forms are sent to recipients, where and to whom the
27 reports should be returned, the deadline by which reports
28 must be returned, instructions on how to fill out the
29 reports, an explanation of what the recipient should do
30 if he or she does not receive the form, advice on how to
31 prove the report was returned by the recipient such as by
32 keeping a copy, and an explanation of the effects of
33 failure to file reports.

34 (6) If the recipient will continue to receive a

1 grant, an explanation of the recipient's new fiscal month
2 and a statement as to when the recipient will receive his
3 or her grant.

4 (7) An explanation of Kidcare, Family Assist,
5 Family Care, and the 12 month extension of medical
6 assistance that is available when a grant is cancelled
7 due to earned income.

8 (8) An explanation of the medical assistance the
9 person may be eligible for when the 12 month extension
10 expires and how to request or apply for it.

11 (9) An explanation of the availability of a child
12 care subsidy to all families below the child care
13 assistance program's income limit, how to apply for the
14 benefit through the Child Care Resource and Referral or
15 site-administered child care program or both, the nature
16 of the child care program's sliding scale co-payments,
17 the availability of the 10% earned income disregard in
18 determining eligibility for child care assistance and the
19 amount of the parent co-payment, the right to use the
20 subsidy for either licensed or license exempt legal care,
21 and the availability of benefits when the parent is
22 engaged in an education and training program.

23 (10) (Blank).

24 (11) (Blank).

25 (11a) (Blank).

26 (12) (Blank).

27 (13) An explanation of the availability of payment
28 for initial expenses of employment and how to request or
29 apply for it.

30 (14) An explanation of the job retention component
31 and how to participate in it, and an explanation of the
32 recipient's eligibility to receive supportive services to
33 participate in education and training programs while
34 working.

1 (15) A statement of the types of assistance that
2 will be provided to the person automatically or continued
3 and a statement of the types of assistance for which the
4 person must apply or reapply.

5 (16) If the recipient will not continue to receive
6 a cash grant and the recipient has assigned his or her
7 right to child support to the Illinois Department, an
8 explanation of the recipient's right to continue to
9 receive child support enforcement services, the
10 recipient's right to have all current support paid after
11 grant cancellation forwarded promptly to the recipient,
12 the procedures by which child support will be forwarded,
13 and the procedures by which the recipient will be
14 informed of the collection and distribution of child
15 support.

16 (17) An explanation of the availability of payments
17 if the recipient experiences a decrease in or loss of
18 earned income during a calendar quarter as to which the
19 monthly grant was previously budgeted based upon the
20 higher income.

21 (18) If the recipient will not continue to receive
22 a cash grant, an explanation of the procedures for
23 reapplying for cash assistance if the person experiences
24 a decrease in or loss of earned income.

25 (19) An explanation of the earned income tax credit
26 and the procedures by which it may be obtained and the
27 rules for disregarding it in determining eligibility for
28 and the amount of assistance.

29 (20) An explanation of the education and training
30 opportunities available to recipients.

31 (b) The information listed in subsection (a) shall
32 be provided to the recipient on an individual basis during an
33 in-person meeting with a representative of the Illinois
34 Department. The individual in-person meeting shall be held

1 at a time which does not conflict with the recipient's work
2 schedule within 30 days of the date the recipient begins
3 working. If the recipient informs the Illinois Department
4 that an in-person meeting would be inconvenient, the Illinois
5 Department may provide the information during a home visit,
6 by telephone, or by mail within 30 days of the date the
7 recipient begins working, whichever the client prefers.

8 (c) At the conclusion of the meeting described in
9 subsection (b), the Illinois Department shall ensure that all
10 case transfers and calculations of benefits necessitated by
11 the recipient's employment or receipt of earned income have
12 been performed, that applications have been made or provided
13 for all benefits for which the person must apply or reapply,
14 and that the person has received payment for initial expenses
15 of employment.

16 (Source: P.A. 91-331, eff. 7-29-99.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.