

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 5-8 and 12-13 as follows:

6 (305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

7 Sec. 5-8. Practitioners. In supplying medical  
8 assistance, the Illinois Department may provide for the  
9 legally authorized services of (i) persons licensed under the  
10 Medical Practice Act of 1987, as amended, except as hereafter  
11 in this Section stated, whether under a general or limited  
12 license, (ii) ~~and~~ persons licensed or registered under  
13 other laws of this State to provide dental, medical,  
14 pharmaceutical, optometric, podiatric, or nursing services,  
15 or other remedial care recognized under State law, and (iii)  
16 persons licensed under other laws of this State as a clinical  
17 psychologist, clinical social worker, or clinical  
18 professional counselor. The Department may not provide for  
19 legally authorized services of any physician who has been  
20 convicted of having performed an abortion procedure in a  
21 wilful and wanton manner on a woman who was not pregnant at  
22 the time such abortion procedure was performed. The  
23 utilization of the services of persons engaged in the  
24 treatment or care of the sick, which persons are not required  
25 to be licensed or registered under the laws of this State, is  
26 not prohibited by this Section.

27 (Source: P.A. 85-1209.)

28 (305 ILCS 5/12-13) (from Ch. 23, par. 12-13)

29 Sec. 12-13. Rules and regulations. The Department shall  
30 make all rules and regulations and take such action as may be

1 necessary or desirable for carrying out the provisions of  
2 this Code, to the end that its spirit and purpose may be  
3 achieved and the public aid programs administered efficiently  
4 throughout the State. However, the rules and regulations  
5 shall not provide that payment for services rendered to a  
6 specific recipient by (i) a person licensed under the Medical  
7 Practice Act of 1987, whether under a general or limited  
8 license, (ii) or a person licensed or registered under other  
9 laws of this State to provide dental, optometric, or  
10 pediatric care, or (iii) a licensed clinical psychologist,  
11 licensed clinical social worker, or licensed clinical  
12 professional counselor may be authorized only when services  
13 are recommended for that recipient by a person licensed to  
14 practice medicine in all its branches.

15 Whenever a rule of the Department requires that an  
16 applicant or recipient verify information submitted to the  
17 Department, the rule, in order to make the public fully aware  
18 of what information is required for verification, shall  
19 specify the acceptable means of verification or shall list  
20 examples of acceptable means of verification.

21 The provisions of the Illinois Administrative Procedure  
22 Act are hereby expressly adopted and incorporated herein, and  
23 shall apply to all administrative rules and procedures of the  
24 Illinois Department under this Act, except that Section 5-35  
25 of the Illinois Administrative Procedure Act relating to  
26 procedures for rule-making does not apply to the adoption of  
27 any rule required by federal law in connection with which the  
28 Illinois Department is precluded by law from exercising any  
29 discretion, and the requirements of the Administrative  
30 Procedure Act with respect to contested cases are not  
31 applicable to (1) hearings involving eligibility of  
32 applicants or recipients of public aid or (2) support  
33 hearings involving responsible relatives.

34 (Source: P.A. 92-111, eff. 1-1-02.)

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