

1 AN ACT in relation to public health.

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 Section 11-8 as follows:

6 (305 ILCS 5/11-8) (from Ch. 23, par. 11-8)

7 Sec. 11-8. Appeals - to whom taken. Applicants or
8 recipients of aid may, at any time within 60 days after the
9 decision of the County Department or local governmental unit,
10 as the case may be, appeal a decision denying or terminating
11 aid, or granting aid in an amount which is deemed inadequate,
12 or changing, cancelling, revoking or suspending grants as
13 provided in Section 11-16, or determining to make a
14 protective payment under the provisions of Sections 3-5a or
15 4-9, or a decision by an administrative review board to
16 impose administrative safeguards as provided in Section 8A-8.
17 An appeal shall also lie when an application is not acted
18 upon within the time period after filing of the application
19 as provided by rule of the Illinois Department.

20 If an appeal is not made, the action of the County
21 Department or local governmental unit shall be final.

22 Appeals by applicants or recipients under Articles III,
23 IV, or V shall be taken to the Illinois Department.

24 Appeals by applicants or recipients under Article VI
25 shall be taken as follows:

26 (1) In counties under township organization (except
27 such counties in which the governing authority is a Board
28 of Commissioners) appeals shall be to a Public Aid
29 Committee consisting of the Chairman of the County Board,
30 and 4 members who are township supervisors of general
31 assistance, appointed by the Chairman, with the advice

1 and consent of the county board.

2 (2) In counties in excess of 3,000,000 population
3 and under township organization in which the governing
4 authority is a Board of Commissioners, appeals of persons
5 from government units outside the corporate limits of a
6 city, village or incorporated town of more than 500,000
7 population, and of persons from incorporated towns which
8 have superseded civil townships in respect to aid under
9 Article VI, shall be to the Cook County Townships Public
10 Aid Committee consisting of 2 township supervisors and 3
11 persons knowledgeable in the area of General Assistance
12 and the regulations of the Illinois Department pertaining
13 thereto and who are not officers, agents or employees of
14 any township, except that township supervisors may serve
15 as members of the Cook County Township Public Aid and
16 Committee. The 5 member committee shall be appointed by
17 the township supervisors. The first appointments shall be
18 made with one person serving a one year term, 2 persons
19 serving a 2 year term, and 2 persons serving a 3 year
20 term. Committee members shall thereafter serve 3 year
21 terms. In any appeal involving a local governmental unit
22 whose supervisor of general assistance is a member of the
23 Committee, such supervisor shall not act as a member of
24 the Committee for the purposes of such appeal, and the
25 Committee shall select another township supervisor to
26 serve as an alternate member for that appeal. The
27 township whose action, inaction, or decision is being
28 appealed shall bear the expenses related to the appeal as
29 determined by the Cook County Townships Public Aid
30 Committee. A township supervisor's compensation for
31 general assistance or township related duties shall not
32 be considered an expense related to the appeal except for
33 expenses related to service on the Committee.

34 (3) In counties described in paragraph (2) appeals

1 of persons from a city, village or incorporated town of
2 more than 500,000 population shall be to the Illinois
3 Department.

4 (4) In counties not under township organization,
5 appeals shall be to the County Board of Commissioners
6 which shall for this purpose be the Public Aid Committee
7 of the County.

8 In counties designated in paragraph (1) the Chairman or
9 President of the County Board shall appoint, with the advice
10 and consent of the county board, one or more alternate
11 members of the Public Aid Committee. All regular and
12 alternate members shall be Supervisors of General Assistance.
13 In any appeal involving a local governmental unit whose
14 Supervisor of General Assistance is a member of the
15 Committee, he shall be replaced for that appeal by an
16 alternate member designated by the Chairman or President of
17 the County Board, with the advice and consent of the county
18 board. In these counties not more than 3 of the 5 regular
19 appointees shall be members of the same political party
20 unless the political composition of the Supervisors of the
21 General Assistance precludes such a limitation. In these
22 counties at least one member of the Public Aid Committee
23 shall be a person knowledgeable in the area of general
24 assistance and the regulations of the Illinois Department
25 pertaining thereto. If no member of the Committee possesses
26 such knowledge, the Illinois Department shall designate an
27 employee of the Illinois Department having such knowledge to
28 be present at the Committee hearings to advise the Committee.

29 In every county the County Board shall provide facilities
30 for the conduct of hearings on appeals under Article VI. All
31 expenses incident to such hearings shall be borne by the
32 county except that in counties under township organization in
33 which the governing authority is a Board of Commissioners (1)
34 the salary and other expenses of the Commissioner of Appeals

1 shall be paid from General Assistance funds available for
2 administrative purposes, and (2) all expenses incident to
3 such hearings shall be borne by the township and the per diem
4 and traveling expenses of the township supervisors serving on
5 the Public Aid Committee shall be fixed and paid by their
6 respective townships. In all other counties the members of
7 the Public Aid Committee shall receive the compensation and
8 expenses provided by law for attendance at meetings of the
9 County Board.

10 In appeals under Article VI involving a governmental unit
11 receiving State funds, the Public Aid Committee and the
12 Commissioner of Appeals shall be bound by the rules and
13 regulations of the Illinois Department which are relevant to
14 the issues on appeal, and shall file such reports concerning
15 appeals as the Illinois Department requests.

16 The members of each Public Aid Committee and the members
17 of the Cook County Townships Public Aid Committee are immune
18 from personal liability in connection with their service on
19 the committee to the same extent as an elected or appointed
20 judge in this State is immune from personal liability in
21 connection with the performance of his or her duties as
22 judge.

23 An appeal shall be without cost to the appellant and
24 shall be made, at the option of the appellant, either upon
25 forms provided and prescribed by the Illinois Department or,
26 for appeals to a Public Aid Committee, upon forms prescribed
27 by the County Board; or an appeal may be made by calling a
28 toll-free number provided for that purpose by the Illinois
29 Department and providing the necessary information. The
30 Illinois Department may assist County Boards or a
31 Commissioner of Appeals in the preparation of appeal forms,
32 or upon request of a County Board or Commissioner of Appeals
33 may furnish such forms. County Departments and local
34 governmental units shall render all possible aid to persons

1 desiring to make an appeal. The provisions of Sections
2 11-8.1 to 11-8.7, inclusive, shall apply to all such appeals.
3 (Source: P.A. 92-111, eff. 1-1-02.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.