



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0913

Introduced 2/2/2005, by Rep. Lovana Jones

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.11

from Ch. 23, par. 12-4.11

Amends the Illinois Public Aid Code. Provides that in fixing standards that govern payments on behalf of children in any substitute care arrangement in which the person responsible for the care and well-being of the child is the legal guardian and a grandparent of the child, the Department of Human Services shall establish the amount of assistance to be paid on behalf of that child at the same amount paid to foster parents or guardians on behalf of children placed in such substitute care arrangements by the Department of Children and Family Services. Effective immediately.

LRB094 06791 DRJ 36893 b

FISCAL NOTE ACT
MAY APPLY

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 changing Section 12-4.11 as follows:

6 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

7 Sec. 12-4.11. Grant amounts. The Department, with due
8 regard for and subject to budgetary limitations, shall
9 establish grant amounts for each of the programs, by
10 regulation. The grant amounts may vary by program, size of
11 assistance unit and geographic area.

12 In fixing standards that govern payments on behalf of
13 children in any substitute care arrangement in which the person
14 responsible for the care and well-being of the child is the
15 legal guardian and a grandparent of the child, the Department
16 shall establish the amount of assistance to be paid on behalf
17 of that child at the same amount paid to foster parents or
18 guardians on behalf of children placed in such substitute care
19 arrangements by the Department of Children and Family Services.

20 Aid payments shall not be reduced except: (1) for changes
21 in the cost of items included in the grant amounts, or (2) for
22 changes in the expenses of the recipient, or (3) for changes in
23 the income or resources available to the recipient, or (4) for
24 changes in grants resulting from adoption of a consolidated
25 grant amount.

26 In fixing standards to govern payments or reimbursements
27 for funeral and burial expenses, the Department shall establish
28 a minimum allowable amount of not less than \$1,000 for
29 Department payment of funeral services and not less than \$500
30 for Department payment of burial or cremation services. In
31 establishing the minimum allowable amount, the Department
32 shall take into account the services essential to a dignified,

1 low-cost (i) funeral and (ii) burial or cremation, including
2 reasonable amounts that may be necessary for burial space and
3 cemetery charges, and any applicable taxes or other required
4 governmental fees or charges. If no person has agreed to pay
5 the total cost of the (i) funeral and (ii) burial or cremation
6 charges, the Department shall pay the vendor the actual costs
7 of the (i) funeral and (ii) burial or cremation, or the minimum
8 allowable amount for each service as established by the
9 Department, whichever is less, provided that the Department
10 reduces its payments by the amount available from the following
11 sources: the decedent's assets and available resources and the
12 anticipated amounts of any death benefits available to the
13 decedent's estate, and amounts paid and arranged to be paid by
14 the decedent's legally responsible relatives. A legally
15 responsible relative is expected to pay (i) funeral and (ii)
16 burial or cremation expenses unless financially unable to do
17 so.

18 Nothing contained in this Section or in any other Section
19 of this Code shall be construed to prohibit the Illinois
20 Department (1) from consolidating existing standards on the
21 basis of any standards which are or were in effect on, or
22 subsequent to July 1, 1969, or (2) from employing any
23 consolidated standards in determining need for public aid and
24 the amount of money payment or grant for individual recipients
25 or recipient families.

26 (Source: P.A. 91-24, eff. 7-1-99; 92-419, eff. 1-1-02.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.