

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 Section 5-1.3 as follows:

6 (305 ILCS 5/5-1.3 new)

7 Sec. 5-1.3. Recipient's incarceration or detention;
8 continued eligibility.

9 (a) To the extent permitted by federal law and
10 notwithstanding any other provision of this Code, the
11 Department of Healthcare and Family Services shall not cancel a
12 person's eligibility for medical assistance solely because
13 that person has become an inmate of a public institution,
14 including, but not limited to, a county jail, juvenile
15 detention center, or State correctional facility. The person
16 may remain enrolled for medical assistance as long as all other
17 eligibility criteria are met. Counties, the Department of
18 Juvenile Justice, and the Department of Corrections shall
19 cooperate to share information sufficient to inform the
20 Department of Healthcare and Family Services, in a manner
21 established by the Department, that an enrolled person has been
22 detained or incarcerated.

23 (b) The Department shall not be responsible to provide

1 medical assistance under this Article for any medical care,
2 services, or supplies provided to the individual during that
3 period. The responsibility for providing medical care shall
4 remain, as otherwise provided by law, with the Department of
5 Corrections, the county, or the other arresting authority. The
6 Department may seek federal financial participation, to the
7 extent that it is available and with the cooperation of the
8 Department of Juvenile Justice, the Department of Corrections,
9 or the relevant county, for the costs of those services.

10 (c) The Department shall resume responsibility for
11 providing medical assistance upon release of the person to the
12 community as long as all of the following apply:

13 (1) The person is enrolled for medical assistance at
14 the time of release.

15 (2) Neither a county, the Department of Juvenile
16 Justice, nor the Department of Corrections continues to
17 bear responsibility for the person's medical care.

18 (3) The county, the Department of Juvenile Justice, or
19 the Department of Corrections provides timely notice of the
20 date of release in a manner established by the Department
21 of Healthcare and Family Services.