



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0565

Introduced 2/6/2009, by Rep. LaShawn K. Ford

SYNOPSIS AS INTRODUCED:

215 ILCS 106/42 new
215 ILCS 170/37 new
305 ILCS 5/5-5.04a new

Amends the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Illinois Public Aid Code. Provides that under the Family Care program, the Covering ALL KIDS Health Insurance program, and the medical assistance program, the Department of Healthcare and Family Services shall reimburse providers for rapid HIV testing (results provided in less than one hour) beginning January 1, 2010. Provides that beginning January 1, 2011, the reimbursement for a conventional HIV test (results provided in more than one hour) and a rapid HIV test must not be lower than Medicare reimbursement for each test in accordance with the Medicare payment localities for Illinois. Effective immediately.

LRB096 07813 DRJ 17916 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Children's Health Insurance Program Act is
5 amended by adding Section 42 as follows:

6 (215 ILCS 106/42 new)

7 Sec. 42. Rapid and conventional HIV testing.

8 (a) Beginning January 1, 2010, as part of the program
9 implemented under Section 40, the Department shall reimburse
10 providers for rapid HIV testing.

11 (b) Beginning January 1, 2011, as part of the program
12 implemented under Section 40, the reimbursement for a
13 conventional HIV test and a rapid HIV test must not be lower
14 than Medicare reimbursement for each test in accordance with
15 the Medicare payment localities for Illinois.

16 (c) For the purposes of this Section:

17 "HIV" means the Human Immunodeficiency Virus.

18 "Rapid HIV test" means a test approved by the U.S. Food and
19 Drug Administration to determine the presence of the antibody
20 or antigen to HIV that provides results in less than one hour
21 and that is waived from Clinical Laboratory Improvement
22 Amendments requirements.

23 "Conventional HIV test" means a test approved by the U.S.

1 Food and Drug Administration to determine the presence of the
2 antibody or antigen to HIV that provides results in more than
3 one hour.

4 Section 10. The Covering ALL KIDS Health Insurance Act is
5 amended by adding Section 37 as follows:

6 (215 ILCS 170/37 new)

7 Sec. 37. Rapid and conventional HIV testing.

8 (a) Beginning January 1, 2010, the Department shall
9 reimburse providers for rapid HIV testing.

10 (b) Beginning January 1, 2011, the reimbursement for a
11 conventional HIV test and a rapid HIV test must not be lower
12 than Medicare reimbursement for each test in accordance with
13 the Medicare payment localities for Illinois.

14 (c) For the purposes of this Section:

15 "HIV" means the Human Immunodeficiency Virus.

16 "Rapid HIV test" means a test approved by the U.S. Food and
17 Drug Administration to determine the presence of the antibody
18 or antigen to HIV that provides results in less than one hour
19 and that is waived from Clinical Laboratory Improvement
20 Amendments requirements.

21 "Conventional HIV test" means a test approved by the U.S.
22 Food and Drug Administration to determine the presence of the
23 antibody or antigen to HIV that provides results in more than
24 one hour.

1 Section 15. The Illinois Public Aid Code is amended by
2 adding Section 5-5.04a as follows:

3 (305 ILCS 5/5-5.04a new)

4 Sec. 5-5.04a. Rapid and conventional HIV testing.

5 (a) Beginning January 1, 2010, the Department shall
6 reimburse providers for rapid HIV testing.

7 (b) Beginning January 1, 2011, the reimbursement for a
8 conventional HIV test and a rapid HIV test must not be lower
9 than Medicare reimbursement for each test in accordance with
10 the Medicare payment localities for Illinois.

11 (c) For the purposes of this Section:

12 "HIV" means the Human Immunodeficiency Virus.

13 "Rapid HIV test" means a test approved by the U.S. Food and
14 Drug Administration to determine the presence of the antibody
15 or antigen to HIV that provides results in less than one hour
16 and that is waived from Clinical Laboratory Improvement
17 Amendments requirements.

18 "Conventional HIV test" means a test approved by the U.S.
19 Food and Drug Administration to determine the presence of the
20 antibody or antigen to HIV that provides results in more than
21 one hour.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.