



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0745

Introduced 2/6/2009, by Rep. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/11-15	from Ch. 23, par. 11-15
305 ILCS 5/11-20.1	from Ch. 23, par. 11-20.1

Amends the Illinois Public Aid Code. Provides that applications for aid shall be filed with any local office of the Department of Human Services (instead of with the county department of public aid). Provides that the date of an application shall be the date it is submitted by the applicant. Provides that an applicant has the right to have his or her case transferred to another local office of the Department of Human Services for his or her convenience, based on stated factors. Provides that in food stamp cases in which an applicant or recipient reports earned income, the applicant's or recipient's employment shall be presumed to be a hardship for purposes of scheduling an in-person meeting with a representative of the Department of Human Services and an in-person meeting shall be waived.

LRB096 04732 DRJ 14795 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 Illinois Public Aid Code is amended by  
5 changing Sections 11-15 and 11-20.1 as follows:

6 (305 ILCS 5/11-15) (from Ch. 23, par. 11-15)

7 Sec. 11-15. Application requirements.

8 (1) An application for financial aid shall be filed in  
9 writing by the person requesting aid and, in the case of a  
10 request for family aid, by the head of that family, except as  
11 otherwise permitted in paragraph (2). Applications for aid  
12 under Articles III, IV, and V shall be filed in writing with  
13 any local office of the Department of Human Services ~~the county~~  
14 ~~department of the county in which the applicant resides~~ in the  
15 manner prescribed by the ~~Illinois~~ Department. Applications for  
16 aid under Article VI shall be filed in writing with the local  
17 governmental unit upon forms approved by the ~~Illinois~~  
18 Department. The date of the application shall be the date it is  
19 submitted by the applicant.

20 Each applicant shall provide information as to the amount  
21 of property, real and personal, owned by him or her within the  
22 period of time preceding the application as required under  
23 Sections 3-1.3, 4-1.11, and 5-2.1 of this Code. The applicant

1 shall also furnish information concerning all income, money  
2 contributions, and other support from any source, and the  
3 beneficiary and the amount or cash surrender or loan value of  
4 all insurance policies held by himself or herself or any member  
5 of his family for whom aid is requested.

6 (2) An application, in all instances to be in writing, may  
7 be filed in behalf of a person considered to be in need of  
8 financial aid under Articles III, IV, V, or VI only if the  
9 person

10 (a) has been adjudged to be under legal disability; or

11 (b) is unable because of minority or physical or mental  
12 disability, to execute the application; or

13 (c) in the case of need for funeral and burial, died  
14 before an application was filed and the application is  
15 filed not more than 30 days after the person's death,  
16 excluding the day on which the death occurred.

17 Applications in behalf of persons specified in (a) and (b)  
18 shall be filed by the applicant's legal guardian or, if a  
19 guardian has not been appointed or the applicant has no legal  
20 guardian or the guardian is not available, by a relative or  
21 other person, acceptable under the rules of the Illinois  
22 Department, who is able to furnish the required information.  
23 Applications in behalf of persons specified in (c) shall be  
24 filed by any next of kin of the deceased who is not under legal  
25 disability or, if there are no such next of kin or they are  
26 unknown or unavailable, by a person, acceptable under the rules

1 of the Illinois Department, who is able to furnish the required  
2 information.

3 (3) The application shall contain a written declaration to  
4 be signed by the applicant, or in behalf of the applicant by a  
5 person qualified under paragraph (2), in substantially the  
6 following form, the parenthetical references being applicable  
7 to an application filed by a person in behalf of the applicant:

8 "I declare under penalties of perjury that I have examined  
9 this form and all accompanying statements or documents  
10 pertaining to the income and resources of myself (the  
11 applicant) or any member of my family (the applicant's family)  
12 included in this application for aid, or pertaining to any  
13 other matter having bearing upon my (the applicant's)  
14 eligibility for aid, and to the best of my knowledge and belief  
15 the information supplied is true, correct, and complete".

16 (4) If an application for financial aid is filed for a  
17 family, and any person in that family is under 18 years of age,  
18 the application shall be accompanied by the following for each  
19 such person under 18 years of age:

- 20 (i) a copy of the person's birth certificate, or  
21 (ii) other reliable proof, as determined by the  
22 Department, of the person's identity and age.

23 The Illinois Department shall provide information to all  
24 families, orally by an intake worker and in writing when the  
25 application is filed, about the availability and location of  
26 immunization services.

1       (5) Once an applicant is determined eligible for aid, he or  
2       she has the right to request to have the case transferred to  
3       another local office of the Department of Human Services for  
4       his or her convenience based on one of the following factors:  
5       the location of his or her employer; the location of his or her  
6       child care provider; access to reliable transportation; or the  
7       location of a social service provider that he or she sees on a  
8       regular basis. Within 5 business days after the request for  
9       transfer, the Department shall transfer the case, assign a  
10       caseworker, make appropriate entries in the computer system,  
11       and issue a written notice to the recipient that includes the  
12       name of and contact information for the caseworker. The  
13       location of the recipient's case may be reconsidered on the  
14       recipient's request or at the time of redetermination of  
15       eligibility.

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

17               (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

18       Sec. 11-20.1. Employment; Rights of recipient and  
19       obligations of Illinois Department when recipients become  
20       employed; Assistance when a recipient has employment or earned  
21       income or both.

22               (a) When a recipient reports employment or earned income,  
23       or both, or the Illinois Department otherwise learns of a  
24       recipient's employment or earned income, or both, the Illinois  
25       Department shall provide the recipient with:

1           (1) An explanation of how the earned income will affect  
2           the recipient's eligibility for a grant, and whether the  
3           recipient must engage in additional work activities to meet  
4           the recipient's monthly work activities requirement and  
5           what types of activities may be approved for that purpose,  
6           and whether the employment is sufficient to cause months of  
7           continued receipt of a grant not to be counted against the  
8           recipient's lifetime eligibility limit.

9           (2) An explanation of the Work Pays budgeting process,  
10          and an explanation of how the first month's income on a new  
11          job will be projected, and how the recipient should report  
12          the new job to avoid the Department overestimating the  
13          first month's income.

14          (3) An explanation of how the earned income will affect  
15          the recipient's eligibility for food stamps, whether the  
16          recipient will continue to receive food stamps, and, if so,  
17          the amount of food stamps.

18          (4) The names and telephone numbers of all caseworkers  
19          to whom the recipient's case or cases are assigned or will  
20          be transferred, an explanation of which type of case each  
21          worker will be handling, and the effective date of the  
22          transfer.

23          (5) An explanation of the recipient's responsibilities  
24          to report income and household circumstances, the process  
25          by which quarterly reporting forms are sent to recipients,  
26          where and to whom the reports should be returned, the

1 deadline by which reports must be returned, instructions on  
2 how to fill out the reports, an explanation of what the  
3 recipient should do if he or she does not receive the form,  
4 advice on how to prove the report was returned by the  
5 recipient such as by keeping a copy, and an explanation of  
6 the effects of failure to file reports.

7 (6) If the recipient will continue to receive a grant,  
8 an explanation of the recipient's new fiscal month and a  
9 statement as to when the recipient will receive his or her  
10 grant.

11 (7) An explanation of Kidcare, Family Assist, Family  
12 Care, and the 12 month extension of medical assistance that  
13 is available when a grant is cancelled due to earned  
14 income.

15 (8) An explanation of the medical assistance the person  
16 may be eligible for when the 12 month extension expires and  
17 how to request or apply for it.

18 (9) An explanation of the availability of a child care  
19 subsidy to all families below the child care assistance  
20 program's income limit, how to apply for the benefit  
21 through the Child Care Resource and Referral or  
22 site-administered child care program or both, the nature of  
23 the child care program's sliding scale co-payments, the  
24 availability of the 10% earned income disregard in  
25 determining eligibility for child care assistance and the  
26 amount of the parent co-payment, the right to use the

1 subsidy for either licensed or license exempt legal care,  
2 and the availability of benefits when the parent is engaged  
3 in an education and training program.

4 (10) (Blank).

5 (11) (Blank).

6 (11a) (Blank).

7 (12) (Blank).

8 (13) An explanation of the availability of payment for  
9 initial expenses of employment and how to request or apply  
10 for it.

11 (14) An explanation of the job retention component and  
12 how to participate in it, and an explanation of the  
13 recipient's eligibility to receive supportive services to  
14 participate in education and training programs while  
15 working.

16 (15) A statement of the types of assistance that will  
17 be provided to the person automatically or continued and a  
18 statement of the types of assistance for which the person  
19 must apply or reapply.

20 (16) If the recipient will not continue to receive a  
21 cash grant and the recipient has assigned his or her right  
22 to child support to the Illinois Department, an explanation  
23 of the recipient's right to continue to receive child  
24 support enforcement services, the recipient's right to  
25 have all current support paid after grant cancellation  
26 forwarded promptly to the recipient, the procedures by



1           which child support will be forwarded, and the procedures  
2           by which the recipient will be informed of the collection  
3           and distribution of child support.

4           (17) An explanation of the availability of payments if  
5           the recipient experiences a decrease in or loss of earned  
6           income during a calendar quarter as to which the monthly  
7           grant was previously budgeted based upon the higher income.

8           (18) If the recipient will not continue to receive a  
9           cash grant, an explanation of the procedures for reapplying  
10          for cash assistance if the person experiences a decrease in  
11          or loss of earned income.

12          (19) An explanation of the earned income tax credit and  
13          the procedures by which it may be obtained and the rules  
14          for disregarding it in determining eligibility for and the  
15          amount of assistance.

16          (20) An explanation of the education and training  
17          opportunities available to recipients.

18          (b) The information listed in subsection (a) shall be  
19          provided to the recipient on an individual basis during an  
20          in-person meeting with a representative of the Illinois  
21          Department. The individual in-person meeting shall be held at a  
22          time which does not conflict with the recipient's work schedule  
23          within 30 days of the date the recipient begins working. If the  
24          recipient informs the Illinois Department that an in-person  
25          meeting would be inconvenient, the Illinois Department may  
26          provide the information during a home visit, by telephone, or

1 by mail within 30 days of the date the recipient begins  
2 working, whichever the client prefers.

3 (c) At the conclusion of the meeting described in  
4 subsection (b), the Illinois Department shall ensure that all  
5 case transfers and calculations of benefits necessitated by the  
6 recipient's employment or receipt of earned income have been  
7 performed, that applications have been made or provided for all  
8 benefits for which the person must apply or reapply, and that  
9 the person has received payment for initial expenses of  
10 employment.

11 (d) In food stamp cases in which an applicant or recipient  
12 reports earned income, the applicant's or recipient's  
13 employment shall be presumed to be a hardship for purposes of  
14 scheduling an in-person meeting with a representative of the  
15 Illinois Department and an in-person meeting shall be waived.

16 (Source: P.A. 93-598, eff. 8-26-03.)