

SB2152



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2152

Introduced 2/20/2009, by Sen. Chris Lauzen

SYNOPSIS AS INTRODUCED:

305 ILCS 5/1-11

Amends the Illinois Public Aid Code. Provides that on and after the effective date of the amendatory Act, the Department of Healthcare and Family Services may not cover any medical care under the Code for any non-citizen who is not included in one of the categories set forth in the Code except in the case of an emergency. Provides that "emergency" means a need for immediate medical attention resulting from a life-threatening condition or situation or a need for immediate medical attention as otherwise reasonably determined by a physician, a public safety official, or emergency medical personnel. Effective immediately.

LRB096 10756 DRJ 20947 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 Section 1-11 as follows:

6 (305 ILCS 5/1-11)

7 Sec. 1-11. Citizenship. To the extent not otherwise
8 provided in this Code or federal law, all clients who receive
9 cash or medical assistance under Article III, IV, V, or VI of
10 this Code must meet the citizenship requirements as established
11 in this Section. To be eligible for assistance an individual,
12 who is otherwise eligible, must be either a United States
13 citizen or included in one of the following categories of
14 non-citizens:

15 (1) United States veterans honorably discharged and
16 persons on active military duty, and the spouse and
17 unmarried dependent children of these persons;

18 (2) Refugees under Section 207 of the Immigration and
19 Nationality Act;

20 (3) Asylees under Section 208 of the Immigration and
21 Nationality Act;

22 (4) Persons for whom deportation has been withheld
23 under Section 243(h) of the Immigration and Nationality

1 Act;

2 (5) Persons granted conditional entry under Section
3 203(a)(7) of the Immigration and Nationality Act as in
4 effect prior to April 1, 1980;

5 (6) Persons lawfully admitted for permanent residence
6 under the Immigration and Nationality Act;

7 (7) Parolees, for at least one year, under Section
8 212(d)(5) of the Immigration and Nationality Act;

9 (8) Nationals of Cuba or Haiti admitted on or after
10 April 21, 1980;

11 (9) Amerasians from Vietnam, and their close family
12 members, admitted through the Orderly Departure Program
13 beginning on March 20, 1988;

14 (10) Persons identified by the federal Office of
15 Refugee Resettlement (ORR) as victims of trafficking;

16 (11) Persons legally residing in the United States who
17 were members of a Hmong or Highland Laotian tribe when the
18 tribe helped United States personnel by taking part in a
19 military or rescue operation during the Vietnam era
20 (between August 5, 1965 and May 7, 1975); this also
21 includes the person's spouse, a widow or widower who has
22 not remarried, and unmarried dependent children;

23 (12) American Indians born in Canada under Section 289
24 of the Immigration and Nationality Act and members of an
25 Indian tribe as defined in Section 4e of the Indian
26 Self-Determination and Education Assistance Act; and

1 (13) Persons who are a spouse, widow, or child of a
2 U.S. citizen or a spouse or child of a legal permanent
3 resident (LPR) who have been battered or subjected to
4 extreme cruelty by the U.S. citizen or LPR or a member of
5 that relative's family who lived with them, who no longer
6 live with the abuser or plan to live separately within one
7 month of receipt of assistance and whose need for
8 assistance is due, at least in part, to the abuse.

9 Those persons who are in the categories set forth in
10 subdivisions 6 and 7 of this Section, who enter the United
11 States on or after August 22, 1996, shall not be eligible for 5
12 years beginning on the date the person entered the United
13 States.

14 The Illinois Department may, by rule, cover prenatal care
15 or emergency medical care for non-citizens who are not
16 otherwise eligible under this Section. Notwithstanding the
17 preceding sentence or any other provision of this Code, the
18 Department of Healthcare and Family Services may not cover any
19 medical care under this Code for a non-citizen who is not
20 included in one of the categories described in paragraphs (1)
21 through (13) of this Section except in the case of an
22 emergency. For purposes of this paragraph, "emergency" means a
23 need for immediate medical attention resulting from a
24 life-threatening condition or situation or a need for immediate
25 medical attention as otherwise reasonably determined by a
26 physician, a public safety official, or emergency medical

1 personnel.

2 Local governmental units which do not receive State funds
3 may impose their own citizenship requirements and are
4 authorized to provide any benefits and impose any citizenship
5 requirements as are allowed under the Personal Responsibility
6 and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193).
7 (Source: P.A. 93-342, eff. 7-24-03.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.