



Sen. M. Maggie Crotty

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1 AMENDMENT TO HOUSE BILL 3893

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3893 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Alcoholism and Other Drug Abuse and  
5 Dependency Act is amended by changing Section 1-10 as follows:

6 (20 ILCS 301/1-10)

7 Sec. 1-10. Definitions. As used in this Act, unless the  
8 context clearly indicates otherwise, the following words and  
9 terms have the following meanings:

10 "Act" means the Alcoholism and Other Drug Abuse and  
11 Dependency Act.

12 "Addict" means a person who exhibits the disease known as  
13 "addiction".

14 "Addiction" means a disease process characterized by the  
15 continued use of a specific psycho-active substance despite  
16 physical, psychological or social harm. The term also describes

1 the advanced stages of chemical dependency.

2 "Administrator" means a person responsible for  
3 administration of a program.

4 "Alcoholic" means a person who exhibits the disease known  
5 as "alcoholism".

6 "Alcoholism" means a chronic and progressive disease or  
7 illness characterized by preoccupation with and loss of control  
8 over the consumption of alcohol, and the use of alcohol despite  
9 adverse consequences. Typically, combinations of the following  
10 tendencies are also present: periodic or chronic intoxication;  
11 physical disability; impaired emotional, occupational or  
12 social adjustment; tendency toward relapse; a detrimental  
13 effect on the individual, his family and society; psychological  
14 dependence; and physical dependence. Alcoholism is also known  
15 as addiction to alcohol. Alcoholism is described and further  
16 categorized in clinical detail in the DSM and the ICD.

17 "Array of services" means assistance to individuals,  
18 families and communities in response to alcohol or other drug  
19 abuse or dependency. The array of services includes, but is not  
20 limited to: prevention assistance for communities and schools;  
21 case finding, assessment and intervention to help individuals  
22 stop abusing alcohol or other drugs; a uniform screening,  
23 assessment, and evaluation process including criteria for  
24 substance use disorders and mental disorders or co-occurring  
25 substance use and mental health disorders; case management;  
26 detoxification to aid individuals in physically withdrawing

1 from alcohol or other drugs; short-term and long-term treatment  
2 and support services to help individuals and family members  
3 begin the process of recovery; prescription and dispensing of  
4 the drug methadone or other medications as an adjunct to  
5 treatment; relapse prevention services; education and  
6 counseling for children or other co-dependents of alcoholics or  
7 other drug abusers or addicts.

8 "Case management" means those services which will assist  
9 individuals in gaining access to needed social, educational,  
10 medical, treatment and other services.

11 "Children of alcoholics or drug addicts or abusers of  
12 alcohol and other drugs" means the minor or adult children of  
13 individuals who have abused or been dependent upon alcohol or  
14 other drugs. These children may or may not become dependent  
15 upon alcohol or other drugs themselves; however, they are  
16 physically, psychologically, and behaviorally at high risk of  
17 developing the illness. Children of alcoholics and other drug  
18 abusers experience emotional and other problems, and benefit  
19 from prevention and treatment services provided by funded and  
20 non-funded agencies licensed by the Department.

21 "Co-dependents" means individuals who are involved in the  
22 lives of and are affected by people who are dependent upon  
23 alcohol and other drugs. Co-dependents compulsively engage in  
24 behaviors that cause them to suffer adverse physical,  
25 emotional, familial, social, behavioral, vocational, and legal  
26 consequences as they attempt to cope with the alcohol or drug

1 dependent person. People who become co-dependents include  
2 spouses, parents, siblings, and friends of alcohol or drug  
3 dependent people. Co-dependents benefit from prevention and  
4 treatment services provided by agencies licensed by the  
5 Department.

6 "Controlled substance" means any substance or immediate  
7 precursor which is enumerated in the schedules of Article II of  
8 the Illinois Controlled Substances Act or the Cannabis Control  
9 Act.

10 "Crime of violence" means any of the following crimes:  
11 murder, voluntary manslaughter, criminal sexual assault,  
12 aggravated criminal sexual assault, predatory criminal sexual  
13 assault of a child, armed robbery, robbery, arson, kidnapping,  
14 aggravated battery, aggravated arson, or any other felony which  
15 involves the use or threat of physical force or violence  
16 against another individual.

17 "Department" means the Illinois Department of Human  
18 Services as successor to the former Department of Alcoholism  
19 and Substance Abuse.

20 "Designated program" means a program designated by the  
21 Department to provide services described in subsection (c) or  
22 (d) of Section 15-10 of this Act. A designated program's  
23 primary function is screening, assessing, referring and  
24 tracking clients identified by the criminal justice system, and  
25 the program agrees to apply statewide the standards, uniform  
26 criteria and procedures established by the Department pursuant

1 to such designation.

2 "Detoxification" means the process of allowing an  
3 individual to safely withdraw from a drug in a controlled  
4 environment.

5 "DSM" means the most current edition of the Diagnostic and  
6 Statistical Manual of Mental Disorders.

7 "D.U.I." means driving under the influence of alcohol or  
8 other substances which may cause impairment of driving ability.

9 "Facility" means the building or premises which are used  
10 for the provision of licensable program services, including  
11 support services, as set forth by rule.

12 "ICD" means the most current edition of the International  
13 Classification of Diseases.

14 "Incapacitated" means that a person is unconscious or  
15 otherwise exhibits, by overt behavior or by extreme physical  
16 debilitation, an inability to care for his own needs or to  
17 recognize the obvious danger of his situation or to make  
18 rational decisions with respect to his need for treatment.

19 "Intermediary person" means a person with expertise  
20 relative to addiction, alcoholism, and the abuse of alcohol or  
21 other drugs who may be called on to assist the police in  
22 carrying out enforcement or other activities with respect to  
23 persons who abuse or are dependent on alcohol or other drugs.

24 "Intervention" means readily accessible activities which  
25 assist individuals and their partners or family members in  
26 coping with the immediate problems of alcohol and other drug

1 abuse or dependency, and in reducing their alcohol and other  
2 drug use. Intervention can facilitate emotional and social  
3 stability, and involves referring people for further treatment  
4 as needed.

5 "Intoxicated person" means a person whose mental or  
6 physical functioning is substantially impaired as a result of  
7 the current effects of alcohol or other drugs within the body.

8 "Local advisory council" means an alcohol and substance  
9 abuse body established in a county, township or community area,  
10 which represents public and private entities having an interest  
11 in the prevention and treatment of alcoholism or other drug  
12 abuse.

13 "Off-site services" means licensable program services or  
14 activities which are conducted at a location separate from the  
15 primary service location of the provider, and which services  
16 are operated by a program or entity licensed under this Act.

17 "Person" means any individual, firm, group, association,  
18 partnership, corporation, trust, government or governmental  
19 subdivision or agency.

20 "Prevention" means an interactive process of individuals,  
21 families, schools, religious organizations, communities and  
22 regional, state and national organizations to reduce  
23 alcoholism, prevent the use of illegal drugs and the abuse of  
24 legal drugs by persons of all ages, prevent the use of alcohol  
25 by minors, build the capacities of individuals and systems, and  
26 promote healthy environments, lifestyles and behaviors.

1           "Program" means a licensable or fundable activity or  
2 service, or a coordinated range of such activities or services,  
3 as the Department may establish by rule.

4           "Recovery" means the long-term, often life-long, process  
5 in which an addicted person changes the way in which he makes  
6 decisions and establishes personal and life priorities. The  
7 evolution of this decision-making and priority-setting process  
8 is generally manifested by an obvious improvement in the  
9 individual's life and lifestyle and by his overcoming the abuse  
10 of or dependence on alcohol or other drugs. Recovery is also  
11 generally manifested by prolonged periods of abstinence from  
12 addictive chemicals which are not medically supervised.  
13 Recovery is the goal of treatment.

14           "Rehabilitation" means a process whereby those clinical  
15 services necessary and appropriate for improving an  
16 individual's life and lifestyle and for overcoming his or her  
17 abuse of or dependency upon alcohol or other drugs, or both,  
18 are delivered in an appropriate setting and manner as defined  
19 in rules established by the Department.

20           "Relapse" means a process which is manifested by a  
21 progressive pattern of behavior that reactivates the symptoms  
22 of a disease or creates debilitating conditions in an  
23 individual who has experienced remission from addiction or  
24 alcoholism.

25           "Secretary" means the Secretary of Human Services or his or  
26 her designee.

1 "Substance abuse" or "abuse" means a pattern of use of  
2 alcohol or other drugs with the potential of leading to  
3 immediate functional problems or to alcoholism or other drug  
4 dependency, or to the use of alcohol and/or other drugs solely  
5 for purposes of intoxication. The term also means the use of  
6 illegal drugs by persons of any age, and the use of alcohol by  
7 persons under the age of 21.

8 "Treatment" means the broad range of emergency,  
9 outpatient, intermediate and residential services and care  
10 (including assessment, diagnosis, medical, psychiatric,  
11 psychological and social services, care and counseling, and  
12 aftercare) which may be extended to individuals who abuse or  
13 are dependent on alcohol or other drugs or families of those  
14 persons.

15 (Source: P.A. 89-202, eff. 7-21-95; 89-428, eff. 12-13-95;  
16 89-462, eff. 5-29-96; 89-507, eff. 7-1-97; 90-14, eff. 7-1-97;  
17 90-135, eff. 7-22-97.)

18 Section 8. The Illinois Public Aid Code is amended by  
19 changing Section 5-5 as follows:

20 (305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

21 Sec. 5-5. Medical services. The Illinois Department, by  
22 rule, shall determine the quantity and quality of and the rate  
23 of reimbursement for the medical assistance for which payment  
24 will be authorized, and the medical services to be provided,



1 which may include all or part of the following: (1) inpatient  
2 hospital services; (2) outpatient hospital services; (3) other  
3 laboratory and X-ray services; (4) skilled nursing home  
4 services; (5) physicians' services whether furnished in the  
5 office, the patient's home, a hospital, a skilled nursing home,  
6 or elsewhere; (6) medical care, or any other type of remedial  
7 care furnished by licensed practitioners; (7) home health care  
8 services; (8) private duty nursing service; (9) clinic  
9 services; (10) dental services, including prevention and  
10 treatment of periodontal disease and dental caries disease for  
11 pregnant women, provided by an individual licensed to practice  
12 dentistry or dental surgery; for purposes of this item (10),  
13 "dental services" means diagnostic, preventive, or corrective  
14 procedures provided by or under the supervision of a dentist in  
15 the practice of his or her profession; (11) physical therapy  
16 and related services; (12) prescribed drugs, dentures, and  
17 prosthetic devices; and eyeglasses prescribed by a physician  
18 skilled in the diseases of the eye, or by an optometrist,  
19 whichever the person may select; (13) other diagnostic,  
20 screening, preventive, and rehabilitative services, including  
21 to ensure that the individual's need for intervention or  
22 treatment of mental disorders or substance use disorders or  
23 co-occurring mental health and substance use disorders is  
24 determined using a uniform screening, assessment, and  
25 evaluation process inclusive of criteria, for children and  
26 adults; (14) transportation and such other expenses as may be

1 necessary; (15) medical treatment of sexual assault survivors,  
2 as defined in Section 1a of the Sexual Assault Survivors  
3 Emergency Treatment Act, for injuries sustained as a result of  
4 the sexual assault, including examinations and laboratory  
5 tests to discover evidence which may be used in criminal  
6 proceedings arising from the sexual assault; (16) the diagnosis  
7 and treatment of sickle cell anemia; and (17) any other medical  
8 care, and any other type of remedial care recognized under the  
9 laws of this State, but not including abortions, or induced  
10 miscarriages or premature births, unless, in the opinion of a  
11 physician, such procedures are necessary for the preservation  
12 of the life of the woman seeking such treatment, or except an  
13 induced premature birth intended to produce a live viable child  
14 and such procedure is necessary for the health of the mother or  
15 her unborn child. The Illinois Department, by rule, shall  
16 prohibit any physician from providing medical assistance to  
17 anyone eligible therefor under this Code where such physician  
18 has been found guilty of performing an abortion procedure in a  
19 wilful and wanton manner upon a woman who was not pregnant at  
20 the time such abortion procedure was performed. The term "any  
21 other type of remedial care" shall include nursing care and  
22 nursing home service for persons who rely on treatment by  
23 spiritual means alone through prayer for healing.

24 Notwithstanding any other provision of this Section, a  
25 comprehensive tobacco use cessation program that includes  
26 purchasing prescription drugs or prescription medical devices

1 approved by the Food and Drug Administration shall be covered  
2 under the medical assistance program under this Article for  
3 persons who are otherwise eligible for assistance under this  
4 Article.

5 Notwithstanding any other provision of this Code, the  
6 Illinois Department may not require, as a condition of payment  
7 for any laboratory test authorized under this Article, that a  
8 physician's handwritten signature appear on the laboratory  
9 test order form. The Illinois Department may, however, impose  
10 other appropriate requirements regarding laboratory test order  
11 documentation.

12 The Department of Healthcare and Family Services shall  
13 provide the following services to persons eligible for  
14 assistance under this Article who are participating in  
15 education, training or employment programs operated by the  
16 Department of Human Services as successor to the Department of  
17 Public Aid:

18 (1) dental services provided by or under the  
19 supervision of a dentist; and

20 (2) eyeglasses prescribed by a physician skilled in the  
21 diseases of the eye, or by an optometrist, whichever the  
22 person may select.

23 Notwithstanding any other provision of this Code and  
24 subject to federal approval, the Department may adopt rules to  
25 allow a dentist who is volunteering his or her service at no  
26 cost to render dental services through an enrolled

1 not-for-profit health clinic without the dentist personally  
2 enrolling as a participating provider in the medical assistance  
3 program. A not-for-profit health clinic shall include a public  
4 health clinic or Federally Qualified Health Center or other  
5 enrolled provider, as determined by the Department, through  
6 which dental services covered under this Section are performed.  
7 The Department shall establish a process for payment of claims  
8 for reimbursement for covered dental services rendered under  
9 this provision.

10 The Illinois Department, by rule, may distinguish and  
11 classify the medical services to be provided only in accordance  
12 with the classes of persons designated in Section 5-2.

13 The Department of Healthcare and Family Services must  
14 provide coverage and reimbursement for amino acid-based  
15 elemental formulas, regardless of delivery method, for the  
16 diagnosis and treatment of (i) eosinophilic disorders and (ii)  
17 short bowel syndrome when the prescribing physician has issued  
18 a written order stating that the amino acid-based elemental  
19 formula is medically necessary.

20 The Illinois Department shall authorize the provision of,  
21 and shall authorize payment for, screening by low-dose  
22 mammography for the presence of occult breast cancer for women  
23 35 years of age or older who are eligible for medical  
24 assistance under this Article, as follows:

- 25 (A) A baseline mammogram for women 35 to 39 years of  
26 age.

1           (B) An annual mammogram for women 40 years of age or  
2           older.

3           (C) A mammogram at the age and intervals considered  
4           medically necessary by the woman's health care provider for  
5           women under 40 years of age and having a family history of  
6           breast cancer, prior personal history of breast cancer,  
7           positive genetic testing, or other risk factors.

8           (D) A comprehensive ultrasound screening of an entire  
9           breast or breasts if a mammogram demonstrates  
10          heterogeneous or dense breast tissue, when medically  
11          necessary as determined by a physician licensed to practice  
12          medicine in all of its branches.

13          All screenings shall include a physical breast exam,  
14          instruction on self-examination and information regarding the  
15          frequency of self-examination and its value as a preventative  
16          tool. For purposes of this Section, "low-dose mammography"  
17          means the x-ray examination of the breast using equipment  
18          dedicated specifically for mammography, including the x-ray  
19          tube, filter, compression device, and image receptor, with an  
20          average radiation exposure delivery of less than one rad per  
21          breast for 2 views of an average size breast. The term also  
22          includes digital mammography.

23          On and after January 1, 2012, providers participating in a  
24          quality improvement program approved by the Department shall be  
25          reimbursed for screening and diagnostic mammography at the same  
26          rate as the Medicare program's rates, including the increased

1 reimbursement for digital mammography.

2 The Department shall convene an expert panel including  
3 representatives of hospitals, free-standing mammography  
4 facilities, and doctors, including radiologists, to establish  
5 quality standards.

6 Subject to federal approval, the Department shall  
7 establish a rate methodology for mammography at federally  
8 qualified health centers and other encounter-rate clinics.  
9 These clinics or centers may also collaborate with other  
10 hospital-based mammography facilities.

11 The Department shall establish a methodology to remind  
12 women who are age-appropriate for screening mammography, but  
13 who have not received a mammogram within the previous 18  
14 months, of the importance and benefit of screening mammography.

15 The Department shall establish a performance goal for  
16 primary care providers with respect to their female patients  
17 over age 40 receiving an annual mammogram. This performance  
18 goal shall be used to provide additional reimbursement in the  
19 form of a quality performance bonus to primary care providers  
20 who meet that goal.

21 The Department shall devise a means of case-managing or  
22 patient navigation for beneficiaries diagnosed with breast  
23 cancer. This program shall initially operate as a pilot program  
24 in areas of the State with the highest incidence of mortality  
25 related to breast cancer. At least one pilot program site shall  
26 be in the metropolitan Chicago area and at least one site shall

1 be outside the metropolitan Chicago area. An evaluation of the  
2 pilot program shall be carried out measuring health outcomes  
3 and cost of care for those served by the pilot program compared  
4 to similarly situated patients who are not served by the pilot  
5 program.

6 Any medical or health care provider shall immediately  
7 recommend, to any pregnant woman who is being provided prenatal  
8 services and is suspected of drug abuse or is addicted as  
9 defined in the Alcoholism and Other Drug Abuse and Dependency  
10 Act, referral to a local substance abuse treatment provider  
11 licensed by the Department of Human Services or to a licensed  
12 hospital which provides substance abuse treatment services.  
13 The Department of Healthcare and Family Services shall assure  
14 coverage for the cost of treatment of the drug abuse or  
15 addiction for pregnant recipients in accordance with the  
16 Illinois Medicaid Program in conjunction with the Department of  
17 Human Services.

18 All medical providers providing medical assistance to  
19 pregnant women under this Code shall receive information from  
20 the Department on the availability of services under the Drug  
21 Free Families with a Future or any comparable program providing  
22 case management services for addicted women, including  
23 information on appropriate referrals for other social services  
24 that may be needed by addicted women in addition to treatment  
25 for addiction.

26 The Illinois Department, in cooperation with the

1 Departments of Human Services (as successor to the Department  
2 of Alcoholism and Substance Abuse) and Public Health, through a  
3 public awareness campaign, may provide information concerning  
4 treatment for alcoholism and drug abuse and addiction, prenatal  
5 health care, and other pertinent programs directed at reducing  
6 the number of drug-affected infants born to recipients of  
7 medical assistance.

8 Neither the Department of Healthcare and Family Services  
9 nor the Department of Human Services shall sanction the  
10 recipient solely on the basis of her substance abuse.

11 The Illinois Department shall establish such regulations  
12 governing the dispensing of health services under this Article  
13 as it shall deem appropriate. The Department should seek the  
14 advice of formal professional advisory committees appointed by  
15 the Director of the Illinois Department for the purpose of  
16 providing regular advice on policy and administrative matters,  
17 information dissemination and educational activities for  
18 medical and health care providers, and consistency in  
19 procedures to the Illinois Department.

20 Notwithstanding any other provision of law, a health care  
21 provider under the medical assistance program may elect, in  
22 lieu of receiving direct payment for services provided under  
23 that program, to participate in the State Employees Deferred  
24 Compensation Plan adopted under Article 24 of the Illinois  
25 Pension Code. A health care provider who elects to participate  
26 in the plan does not have a cause of action against the State



1 for any damages allegedly suffered by the provider as a result  
2 of any delay by the State in crediting the amount of any  
3 contribution to the provider's plan account.

4 The Illinois Department may develop and contract with  
5 Partnerships of medical providers to arrange medical services  
6 for persons eligible under Section 5-2 of this Code.  
7 Implementation of this Section may be by demonstration projects  
8 in certain geographic areas. The Partnership shall be  
9 represented by a sponsor organization. The Department, by rule,  
10 shall develop qualifications for sponsors of Partnerships.  
11 Nothing in this Section shall be construed to require that the  
12 sponsor organization be a medical organization.

13 The sponsor must negotiate formal written contracts with  
14 medical providers for physician services, inpatient and  
15 outpatient hospital care, home health services, treatment for  
16 alcoholism and substance abuse, and other services determined  
17 necessary by the Illinois Department by rule for delivery by  
18 Partnerships. Physician services must include prenatal and  
19 obstetrical care. The Illinois Department shall reimburse  
20 medical services delivered by Partnership providers to clients  
21 in target areas according to provisions of this Article and the  
22 Illinois Health Finance Reform Act, except that:

23 (1) Physicians participating in a Partnership and  
24 providing certain services, which shall be determined by  
25 the Illinois Department, to persons in areas covered by the  
26 Partnership may receive an additional surcharge for such

1 services.

2 (2) The Department may elect to consider and negotiate  
3 financial incentives to encourage the development of  
4 Partnerships and the efficient delivery of medical care.

5 (3) Persons receiving medical services through  
6 Partnerships may receive medical and case management  
7 services above the level usually offered through the  
8 medical assistance program.

9 Medical providers shall be required to meet certain  
10 qualifications to participate in Partnerships to ensure the  
11 delivery of high quality medical services. These  
12 qualifications shall be determined by rule of the Illinois  
13 Department and may be higher than qualifications for  
14 participation in the medical assistance program. Partnership  
15 sponsors may prescribe reasonable additional qualifications  
16 for participation by medical providers, only with the prior  
17 written approval of the Illinois Department.

18 Nothing in this Section shall limit the free choice of  
19 practitioners, hospitals, and other providers of medical  
20 services by clients. In order to ensure patient freedom of  
21 choice, the Illinois Department shall immediately promulgate  
22 all rules and take all other necessary actions so that provided  
23 services may be accessed from therapeutically certified  
24 optometrists to the full extent of the Illinois Optometric  
25 Practice Act of 1987 without discriminating between service  
26 providers.

1           The Department shall apply for a waiver from the United  
2 States Health Care Financing Administration to allow for the  
3 implementation of Partnerships under this Section.

4           The Illinois Department shall require health care  
5 providers to maintain records that document the medical care  
6 and services provided to recipients of Medical Assistance under  
7 this Article. Such records must be retained for a period of not  
8 less than 6 years from the date of service or as provided by  
9 applicable State law, whichever period is longer, except that  
10 if an audit is initiated within the required retention period  
11 then the records must be retained until the audit is completed  
12 and every exception is resolved. The Illinois Department shall  
13 require health care providers to make available, when  
14 authorized by the patient, in writing, the medical records in a  
15 timely fashion to other health care providers who are treating  
16 or serving persons eligible for Medical Assistance under this  
17 Article. All dispensers of medical services shall be required  
18 to maintain and retain business and professional records  
19 sufficient to fully and accurately document the nature, scope,  
20 details and receipt of the health care provided to persons  
21 eligible for medical assistance under this Code, in accordance  
22 with regulations promulgated by the Illinois Department. The  
23 rules and regulations shall require that proof of the receipt  
24 of prescription drugs, dentures, prosthetic devices and  
25 eyeglasses by eligible persons under this Section accompany  
26 each claim for reimbursement submitted by the dispenser of such

1 medical services. No such claims for reimbursement shall be  
2 approved for payment by the Illinois Department without such  
3 proof of receipt, unless the Illinois Department shall have put  
4 into effect and shall be operating a system of post-payment  
5 audit and review which shall, on a sampling basis, be deemed  
6 adequate by the Illinois Department to assure that such drugs,  
7 dentures, prosthetic devices and eyeglasses for which payment  
8 is being made are actually being received by eligible  
9 recipients. Within 90 days after the effective date of this  
10 amendatory Act of 1984, the Illinois Department shall establish  
11 a current list of acquisition costs for all prosthetic devices  
12 and any other items recognized as medical equipment and  
13 supplies reimbursable under this Article and shall update such  
14 list on a quarterly basis, except that the acquisition costs of  
15 all prescription drugs shall be updated no less frequently than  
16 every 30 days as required by Section 5-5.12.

17 The rules and regulations of the Illinois Department shall  
18 require that a written statement including the required opinion  
19 of a physician shall accompany any claim for reimbursement for  
20 abortions, or induced miscarriages or premature births. This  
21 statement shall indicate what procedures were used in providing  
22 such medical services.

23 The Illinois Department shall require all dispensers of  
24 medical services, other than an individual practitioner or  
25 group of practitioners, desiring to participate in the Medical  
26 Assistance program established under this Article to disclose

1 all financial, beneficial, ownership, equity, surety or other  
2 interests in any and all firms, corporations, partnerships,  
3 associations, business enterprises, joint ventures, agencies,  
4 institutions or other legal entities providing any form of  
5 health care services in this State under this Article.

6 The Illinois Department may require that all dispensers of  
7 medical services desiring to participate in the medical  
8 assistance program established under this Article disclose,  
9 under such terms and conditions as the Illinois Department may  
10 by rule establish, all inquiries from clients and attorneys  
11 regarding medical bills paid by the Illinois Department, which  
12 inquiries could indicate potential existence of claims or liens  
13 for the Illinois Department.

14 Enrollment of a vendor that provides non-emergency medical  
15 transportation, defined by the Department by rule, shall be  
16 conditional for 180 days. During that time, the Department of  
17 Healthcare and Family Services may terminate the vendor's  
18 eligibility to participate in the medical assistance program  
19 without cause. That termination of eligibility is not subject  
20 to the Department's hearing process.

21 The Illinois Department shall establish policies,  
22 procedures, standards and criteria by rule for the acquisition,  
23 repair and replacement of orthotic and prosthetic devices and  
24 durable medical equipment. Such rules shall provide, but not be  
25 limited to, the following services: (1) immediate repair or  
26 replacement of such devices by recipients without medical

1 authorization; and (2) rental, lease, purchase or  
2 lease-purchase of durable medical equipment in a  
3 cost-effective manner, taking into consideration the  
4 recipient's medical prognosis, the extent of the recipient's  
5 needs, and the requirements and costs for maintaining such  
6 equipment. Such rules shall enable a recipient to temporarily  
7 acquire and use alternative or substitute devices or equipment  
8 pending repairs or replacements of any device or equipment  
9 previously authorized for such recipient by the Department.

10 The Department shall execute, relative to the nursing home  
11 prescreening project, written inter-agency agreements with the  
12 Department of Human Services and the Department on Aging, to  
13 effect the following: (i) intake procedures and common  
14 eligibility criteria for those persons who are receiving  
15 non-institutional services; and (ii) the establishment and  
16 development of non-institutional services in areas of the State  
17 where they are not currently available or are undeveloped.

18 The Illinois Department shall develop and operate, in  
19 cooperation with other State Departments and agencies and in  
20 compliance with applicable federal laws and regulations,  
21 appropriate and effective systems of health care evaluation and  
22 programs for monitoring of utilization of health care services  
23 and facilities, as it affects persons eligible for medical  
24 assistance under this Code.

25 The Illinois Department shall report annually to the  
26 General Assembly, no later than the second Friday in April of

1 1979 and each year thereafter, in regard to:

2 (a) actual statistics and trends in utilization of  
3 medical services by public aid recipients;

4 (b) actual statistics and trends in the provision of  
5 the various medical services by medical vendors;

6 (c) current rate structures and proposed changes in  
7 those rate structures for the various medical vendors; and

8 (d) efforts at utilization review and control by the  
9 Illinois Department.

10 The period covered by each report shall be the 3 years  
11 ending on the June 30 prior to the report. The report shall  
12 include suggested legislation for consideration by the General  
13 Assembly. The filing of one copy of the report with the  
14 Speaker, one copy with the Minority Leader and one copy with  
15 the Clerk of the House of Representatives, one copy with the  
16 President, one copy with the Minority Leader and one copy with  
17 the Secretary of the Senate, one copy with the Legislative  
18 Research Unit, and such additional copies with the State  
19 Government Report Distribution Center for the General Assembly  
20 as is required under paragraph (t) of Section 7 of the State  
21 Library Act shall be deemed sufficient to comply with this  
22 Section.

23 Rulemaking authority to implement Public Act 95-1045, if  
24 any, is conditioned on the rules being adopted in accordance  
25 with all provisions of the Illinois Administrative Procedure  
26 Act and all rules and procedures of the Joint Committee on

1 Administrative Rules; any purported rule not so adopted, for  
2 whatever reason, is unauthorized.

3 (Source: P.A. 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; 96-926,  
4 eff. 1-1-11; 96-1000, eff. 7-2-10; 97-48, eff. 6-28-11; 97-638,  
5 eff. 1-1-12.)

6 Section 10. The Community Services Act is amended by  
7 changing Section 2 as follows:

8 (405 ILCS 30/2) (from Ch. 91 1/2, par. 902)

9 Sec. 2. Community Services System. Services should be  
10 planned, developed, delivered and evaluated as part of a  
11 comprehensive and coordinated system. The Department of Human  
12 Services shall encourage the establishment of services in each  
13 area of the State which cover the services categories described  
14 below. What specific services are provided under each service  
15 category shall be based on local needs; special attention shall  
16 be given to unserved and underserved populations, including  
17 children and youth, racial and ethnic minorities, and the  
18 elderly. The service categories shall include:

19 (a) Prevention: services designed primarily to reduce the  
20 incidence and ameliorate the severity of developmental  
21 disabilities, mental illness and alcohol and drug dependence;

22 (b) Client Assessment and Diagnosis: services designed to  
23 identify persons with developmental disabilities, mental  
24 illness and alcohol and drug dependency; to determine the



1 extent of the disability and the level of functioning; to  
2 ensure that the individual's need for treatment of mental  
3 disorders or substance use disorders or co-occurring substance  
4 use and mental health disorders is determined using a uniform  
5 screening, assessment, and evaluation process inclusive of  
6 criteria; information obtained through client evaluation can  
7 be used in individual treatment and habilitation plans; to  
8 assure appropriate placement and to assist in program  
9 evaluation;

10 (c) Case Coordination: services to provide information and  
11 assistance to disabled persons to insure that they obtain  
12 needed services provided by the private and public sectors;  
13 case coordination services should be available to individuals  
14 whose functioning level or history of institutional recidivism  
15 or long-term care indicate that such assistance is required for  
16 successful community living;

17 (d) Crisis and Emergency: services to assist individuals  
18 and their families through crisis periods, to stabilize  
19 individuals under stress and to prevent unnecessary  
20 institutionalization;

21 (e) Treatment, Habilitation and Support: services designed  
22 to help individuals develop skills which promote independence  
23 and improved levels of social and vocational functioning and  
24 personal growth; and to provide non-treatment support services  
25 which are necessary for successful community living;

26 (f) Community Residential Alternatives to Institutional

1 Settings: services to provide living arrangements for persons  
2 unable to live independently; the level of supervision,  
3 services provided and length of stay at community residential  
4 alternatives will vary by the type of program and the needs and  
5 functioning level of the residents; other services may be  
6 provided in a community residential alternative which promote  
7 the acquisition of independent living skills and integration  
8 with the community.

9 (Source: P.A. 89-507, eff. 7-1-97.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."