

# HB1346



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1346

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

215 ILCS 106/20

Amends the Children's Health Insurance Program Act. Makes a technical change in a Section concerning eligibility for the program.

LRB100 03054 RPS 13059 b

A BILL FOR

1 AN ACT concerning regulation.

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 changing Section 20 as follows:

6 (215 ILCS 106/20)

7 Sec. 20. Eligibility.

8 (a) To be eligible for this Program, a person must be a  
9 person who has a child eligible under this Act and ~~and~~ who is  
10 eligible under a waiver of federal requirements pursuant to an  
11 application made pursuant to subdivision (a)(1) of Section 40  
12 of this Act or who is a child who:

13 (1) is a child who is not eligible for medical  
14 assistance;

15 (2) is a child whose annual household income, as  
16 determined by the Department, is above 133% of the federal  
17 poverty level and at or below 200% of the federal poverty  
18 level;

19 (3) is a resident of the State of Illinois; and

20 (4) is a child who is either a United States citizen or  
21 included in one of the following categories of  
22 non-citizens:

23 (A) unmarried dependent children of either a

1 United States Veteran honorably discharged or a person  
2 on active military duty;

3 (B) refugees under Section 207 of the Immigration  
4 and Nationality Act;

5 (C) asylees under Section 208 of the Immigration  
6 and Nationality Act;

7 (D) persons for whom deportation has been withheld  
8 under Section 243(h) of the Immigration and  
9 Nationality Act;

10 (E) persons granted conditional entry under  
11 Section 203(a)(7) of the Immigration and Nationality  
12 Act as in effect prior to April 1, 1980;

13 (F) persons lawfully admitted for permanent  
14 residence under the Immigration and Nationality Act;  
15 and

16 (G) parolees, for at least one year, under Section  
17 212(d)(5) of the Immigration and Nationality Act.

18 Those children who are in the categories set forth in  
19 subdivisions (4)(F) and (4)(G) of this subsection, who enter  
20 the United States on or after August 22, 1996, shall not be  
21 eligible for 5 years beginning on the date the child entered  
22 the United States.

23 (b) A child who is determined to be eligible for assistance  
24 may remain eligible for 12 months, provided the child maintains  
25 his or her residence in the State, has not yet attained 19  
26 years of age, and is not excluded pursuant to subsection (c). A

1 child who has been determined to be eligible for assistance  
2 must reapply or otherwise establish eligibility at least  
3 annually. An eligible child shall be required, as determined by  
4 the Department by rule, to report promptly those changes in  
5 income and other circumstances that affect eligibility. The  
6 eligibility of a child may be redetermined based on the  
7 information reported or may be terminated based on the failure  
8 to report or failure to report accurately. A child's  
9 responsible relative or caretaker may also be held liable to  
10 the Department for any payments made by the Department on such  
11 child's behalf that were inappropriate. An applicant shall be  
12 provided with notice of these obligations.

13 (c) A child shall not be eligible for coverage under this  
14 Program if:

15 (1) the premium required pursuant to Section 30 of this  
16 Act has not been paid. If the required premiums are not  
17 paid the liability of the Program shall be limited to  
18 benefits incurred under the Program for the time period for  
19 which premiums had been paid. Re-enrollment shall be  
20 completed prior to the next covered medical visit and the  
21 first month's required premium shall be paid in advance of  
22 the next covered medical visit. The Department shall  
23 promulgate rules regarding grace periods, notice  
24 requirements, and hearing procedures pursuant to this  
25 subsection;

26 (2) the child is an inmate of a public institution or a

1 patient in an institution for mental diseases; or  
2 (3) the child is a member of a family that is eligible  
3 for health benefits covered under the State of Illinois  
4 health benefits plan on the basis of a member's employment  
5 with a public agency.

6 (Source: P.A. 96-1272, eff. 1-1-11.)