

1 AMENDMENT TO HOUSE BILL 685

2 AMENDMENT NO. _____. Amend House Bill 685 by replacing
3 the title with the following:

4 "AN ACT concerning public aid."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Illinois Public Aid Code is amended by
8 adding Sections 5-2.05 and 5-2.4 as follows:

9 (305 ILCS 5/5-2.05 new)

10 Sec. 5-2.05. Use of Medicaid spend-down. Persons
11 described in item 2(a) of Section 5-2, who fail to qualify
12 for basic maintenance under Article III of this Code on the
13 basis of need because of excess income or assets, or both,
14 may establish prospective eligibility for that basic
15 maintenance by prepaying their monthly spend-down amount
16 under this Article (as described in 42 CFR 435.831) to the
17 Department of Public Aid or by having a third party pay that
18 amount to the Department. The Department shall establish
19 appropriate procedures to permit such a prepayment of
20 spend-down amounts.

1 (305 ILCS 5/5-2.4 new)

2 Sec. 5-2.4. Determination of spend-down eligibility. In
3 the case of community-based services, long-term care
4 services, and services received in a supportive living
5 facility described in Section 5-5.01a, when determining
6 whether a person has met a spend-down requirement for
7 eligibility under paragraph 2 of Section 5-2, the Department
8 of Public Aid shall allow bills for those services at the
9 usual, customary, or competitive rate for community-based
10 services, as funded by the Department of Human Services and
11 as established by the community-based service provider as
12 part of the provider's policy and procedure concerning the
13 establishment of fees for services.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."