

**SB1885**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB1885**

Introduced 1/10/2008, by Sen. Larry K. Bomke

**SYNOPSIS AS INTRODUCED:**

305 ILCS 5/5-5e new

Amends the Illinois Public Aid Code. Provides that if a recipient of medical assistance qualifies for in-home personal care services, and if the recipient's spouse provides those services, the Department of Healthcare and Family Services shall pay the spouse for providing those services to the recipient at the same rate at which the Department pays other providers for providing those services to a recipient. Provides that the spouse must be capable of meeting the recipient's service needs and must provide services that exceed what would usually be expected of a husband or wife. Requires the Department to apply for waivers of federal law and regulations. Provides that the spousal payment provisions apply on and after July 1, 2009 or after the Department is granted the necessary waivers, whichever is later.

LRB095 14938 DRJ 40883 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 adding Section 5-5e as follows:

6 (305 ILCS 5/5-5e new)

7 Sec. 5-5e. In-home personal care services; spouse as  
8 caregiver.

9 (a) If a recipient of medical assistance under this Article  
10 qualifies for in-home personal care services, and if the  
11 recipient's spouse provides those services to the recipient,  
12 the Department of Healthcare and Family Services shall pay the  
13 spouse for providing those services at the same rate at which  
14 the Department pays other providers for providing those  
15 services to a recipient. The spouse must be capable of meeting  
16 the recipient's service needs and must provide services that  
17 exceed what would usually be expected of a husband or wife.

18 (b) The Department shall apply for all waivers of federal  
19 law and regulations necessary to implement this Section.

20 (c) Subsection (a) applies on and after July 1, 2009 or  
21 after the Department is granted the necessary waivers,  
22 whichever is later.