



Rep. Sara Feigenholtz

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LRB096 05474 DRJ 29999 a

1 AMENDMENT TO HOUSE BILL 1801

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1801 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 changing Sections 11-15 and 11-20.1 as follows:

6 (305 ILCS 5/11-15) (from Ch. 23, par. 11-15)

7 Sec. 11-15. Application requirements.

8 (1) An application for financial aid shall be filed in  
9 writing by the person requesting aid and, in the case of a  
10 request for family aid, by the head of that family, except as  
11 otherwise permitted in paragraph (2). Applications for aid  
12 under Articles III, IV, and V shall be filed in writing with  
13 any local office of the Department of Human Services ~~the county~~  
14 ~~department of the county in which the applicant resides~~ in the  
15 manner prescribed by the ~~Illinois~~ Department. Applications for  
16 aid under Article VI shall be filed in writing with the local

1 governmental unit upon forms approved by the ~~Illinois~~  
2 Department.

3 Each applicant shall provide information as to the amount  
4 of property, real and personal, owned by him or her within the  
5 period of time preceding the application as required under  
6 Sections 3-1.3, 4-1.11, and 5-2.1 of this Code. The applicant  
7 shall also furnish information concerning all income, money  
8 contributions, and other support from any source, and the  
9 beneficiary and the amount or cash surrender or loan value of  
10 all insurance policies held by himself or herself or any member  
11 of his family for whom aid is requested.

12 (2) An application, in all instances to be in writing, may  
13 be filed in behalf of a person considered to be in need of  
14 financial aid under Articles III, IV, V, or VI only if the  
15 person

16 (a) has been adjudged to be under legal disability; or

17 (b) is unable because of minority or physical or mental  
18 disability, to execute the application; or

19 (c) in the case of need for funeral and burial, died  
20 before an application was filed and the application is  
21 filed not more than 30 days after the person's death,  
22 excluding the day on which the death occurred.

23 Applications in behalf of persons specified in (a) and (b)  
24 shall be filed by the applicant's legal guardian or, if a  
25 guardian has not been appointed or the applicant has no legal  
26 guardian or the guardian is not available, by a relative or

1 other person, acceptable under the rules of the Illinois  
2 Department, who is able to furnish the required information.  
3 Applications in behalf of persons specified in (c) shall be  
4 filed by any next of kin of the deceased who is not under legal  
5 disability or, if there are no such next of kin or they are  
6 unknown or unavailable, by a person, acceptable under the rules  
7 of the Illinois Department, who is able to furnish the required  
8 information.

9 (3) The application shall contain a written declaration to  
10 be signed by the applicant, or in behalf of the applicant by a  
11 person qualified under paragraph (2), in substantially the  
12 following form, the parenthetical references being applicable  
13 to an application filed by a person in behalf of the applicant:

14 "I declare under penalties of perjury that I have examined  
15 this form and all accompanying statements or documents  
16 pertaining to the income and resources of myself (the  
17 applicant) or any member of my family (the applicant's family)  
18 included in this application for aid, or pertaining to any  
19 other matter having bearing upon my (the applicant's)  
20 eligibility for aid, and to the best of my knowledge and belief  
21 the information supplied is true, correct, and complete".

22 (4) If an application for financial aid is filed for a  
23 family, and any person in that family is under 18 years of age,  
24 the application shall be accompanied by the following for each  
25 such person under 18 years of age:

26 (i) a copy of the person's birth certificate, or

1 (ii) other reliable proof, as determined by the  
2 Department, of the person's identity and age.

3 The Illinois Department shall provide information to all  
4 families, orally by an intake worker and in writing when the  
5 application is filed, about the availability and location of  
6 immunization services.

7 (5) Once an applicant is determined eligible for aid, he or  
8 she has the right to request to have the case transferred to  
9 another local office of the Department of Human Services for  
10 his or her convenience based on one of the following factors:  
11 the location of his or her employer; the location of his or her  
12 child care provider; access to reliable transportation; or the  
13 location of a social service provider that he or she sees on a  
14 regular basis. Within 5 business days after the request for  
15 transfer, the Department shall transfer the case, assign a  
16 caseworker, make appropriate entries in the computer system,  
17 and issue a written notice to the recipient that includes the  
18 name of and contact information for the caseworker. The  
19 location of the recipient's case may be reconsidered on the  
20 recipient's request or at the time of redetermination of  
21 eligibility.

22 (Source: P.A. 92-111, eff. 1-1-02.)

23 (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

24 Sec. 11-20.1. Employment; Rights of recipient and  
25 obligations of Illinois Department when recipients become

1 employed; Assistance when a recipient has employment or earned  
2 income or both.

3 (a) When a recipient reports employment or earned income,  
4 or both, or the Illinois Department otherwise learns of a  
5 recipient's employment or earned income, or both, the Illinois  
6 Department shall provide the recipient with:

7 (1) An explanation of how the earned income will affect  
8 the recipient's eligibility for a grant, and whether the  
9 recipient must engage in additional work activities to meet  
10 the recipient's monthly work activities requirement and  
11 what types of activities may be approved for that purpose,  
12 and whether the employment is sufficient to cause months of  
13 continued receipt of a grant not to be counted against the  
14 recipient's lifetime eligibility limit.

15 (2) An explanation of the Work Pays budgeting process,  
16 and an explanation of how the first month's income on a new  
17 job will be projected, and how the recipient should report  
18 the new job to avoid the Department overestimating the  
19 first month's income.

20 (3) An explanation of how the earned income will affect  
21 the recipient's eligibility for food stamps, whether the  
22 recipient will continue to receive food stamps, and, if so,  
23 the amount of food stamps.

24 (4) The names and telephone numbers of all caseworkers  
25 to whom the recipient's case or cases are assigned or will  
26 be transferred, an explanation of which type of case each

1 worker will be handling, and the effective date of the  
2 transfer.

3 (5) An explanation of the recipient's responsibilities  
4 to report income and household circumstances, the process  
5 by which quarterly reporting forms are sent to recipients,  
6 where and to whom the reports should be returned, the  
7 deadline by which reports must be returned, instructions on  
8 how to fill out the reports, an explanation of what the  
9 recipient should do if he or she does not receive the form,  
10 advice on how to prove the report was returned by the  
11 recipient such as by keeping a copy, and an explanation of  
12 the effects of failure to file reports.

13 (6) If the recipient will continue to receive a grant,  
14 an explanation of the recipient's new fiscal month and a  
15 statement as to when the recipient will receive his or her  
16 grant.

17 (7) An explanation of Kidcare, Family Assist, Family  
18 Care, and the 12 month extension of medical assistance that  
19 is available when a grant is cancelled due to earned  
20 income.

21 (8) An explanation of the medical assistance the person  
22 may be eligible for when the 12 month extension expires and  
23 how to request or apply for it.

24 (9) An explanation of the availability of a child care  
25 subsidy to all families below the child care assistance  
26 program's income limit, how to apply for the benefit

1 through the Child Care Resource and Referral or  
2 site-administered child care program or both, the nature of  
3 the child care program's sliding scale co-payments, the  
4 availability of the 10% earned income disregard in  
5 determining eligibility for child care assistance and the  
6 amount of the parent co-payment, the right to use the  
7 subsidy for either licensed or license exempt legal care,  
8 and the availability of benefits when the parent is engaged  
9 in an education and training program.

10 (10) (Blank).

11 (11) (Blank).

12 (11a) (Blank).

13 (12) (Blank).

14 (13) An explanation of the availability of payment for  
15 initial expenses of employment and how to request or apply  
16 for it.

17 (14) An explanation of the job retention component and  
18 how to participate in it, and an explanation of the  
19 recipient's eligibility to receive supportive services to  
20 participate in education and training programs while  
21 working.

22 (15) A statement of the types of assistance that will  
23 be provided to the person automatically or continued and a  
24 statement of the types of assistance for which the person  
25 must apply or reapply.

26 (16) If the recipient will not continue to receive a

1 cash grant and the recipient has assigned his or her right  
2 to child support to the Illinois Department, an explanation  
3 of the recipient's right to continue to receive child  
4 support enforcement services, the recipient's right to  
5 have all current support paid after grant cancellation  
6 forwarded promptly to the recipient, the procedures by  
7 which child support will be forwarded, and the procedures  
8 by which the recipient will be informed of the collection  
9 and distribution of child support.

10 (17) An explanation of the availability of payments if  
11 the recipient experiences a decrease in or loss of earned  
12 income during a calendar quarter as to which the monthly  
13 grant was previously budgeted based upon the higher income.

14 (18) If the recipient will not continue to receive a  
15 cash grant, an explanation of the procedures for reapplying  
16 for cash assistance if the person experiences a decrease in  
17 or loss of earned income.

18 (19) An explanation of the earned income tax credit and  
19 the procedures by which it may be obtained and the rules  
20 for disregarding it in determining eligibility for and the  
21 amount of assistance.

22 (20) An explanation of the education and training  
23 opportunities available to recipients.

24 (b) The information listed in subsection (a) shall be  
25 provided to the recipient on an individual basis during an  
26 in-person meeting with a representative of the Illinois



1 Department. The individual in-person meeting shall be held at a  
2 time which does not conflict with the recipient's work schedule  
3 within 30 days of the date the recipient begins working. If the  
4 recipient informs the Illinois Department that an in-person  
5 meeting would be inconvenient, the Illinois Department may  
6 provide the information during a home visit, by telephone, or  
7 by mail within 30 days of the date the recipient begins  
8 working, whichever the client prefers.

9 (c) At the conclusion of the meeting described in  
10 subsection (b), the Illinois Department shall ensure that all  
11 case transfers and calculations of benefits necessitated by the  
12 recipient's employment or receipt of earned income have been  
13 performed, that applications have been made or provided for all  
14 benefits for which the person must apply or reapply, and that  
15 the person has received payment for initial expenses of  
16 employment.

17 (d) In food stamp cases in which an applicant or recipient  
18 reports earned income, the applicant's or recipient's  
19 employment shall be presumed to be a hardship for purposes of  
20 scheduling an in-person meeting with a representative of the  
21 Illinois Department and an in-person meeting shall be waived.

22 (Source: P.A. 93-598, eff. 8-26-03.)

23 Section 99. Effective date. This Act takes effect on  
24 January 1, 2011."