

**HB3632**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**HB3632**

Introduced 2/24/2009, by Rep. Sara Feigenholtz

**SYNOPSIS AS INTRODUCED:**

30 ILCS 105/8.27

from Ch. 127, par. 144.27

Amends the State Finance Act. Provides that federal moneys paid to the State for certain child welfare services provided by described community mental health providers shall be deposited into the DCFS Children's Services Fund and used to purchase child welfare services. Effective immediately.

LRB096 09931 JAM 20095 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing  
5 Section 8.27 as follows:

6 (30 ILCS 105/8.27) (from Ch. 127, par. 144.27)

7 Sec. 8.27. All receipts from federal financial  
8 participation in the Foster Care and Adoption Services program  
9 under Title IV-E of the federal Social Security Act, including  
10 receipts for related indirect costs, shall be deposited in the  
11 DCFS Children's Services Fund.

12 Beginning on the effective date of this amendatory Act of  
13 the 96th General Assembly, any funds paid to the State by the  
14 federal government under Title XIX and Title XXI of the Social  
15 Security Act for child welfare services delivered by community  
16 mental health providers, certified as Medicaid providers by the  
17 Department of Children and Family Services, for child welfare  
18 services relating to Medicaid-eligible clients and families  
19 served consistent with the purposes of the Department of  
20 Children and Family Services, including services delivered as a  
21 result of the conversion of such providers from a comprehensive  
22 rate to a fee-for-service payment methodology, and any  
23 subsequent revenue maximization initiatives performed by such

1 providers, and any interest earned thereon, shall be deposited  
2 directly into the DCFS Children's Services Fund. Such funds  
3 shall be used for the purchase of child welfare services  
4 provided to eligible individuals identified by the Department  
5 of Children and Family Services. Child welfare services  
6 relating to Medicaid-eligible clients and families served  
7 consistent with the purposes of the Department of Children and  
8 Family Services are defined in Section 5 of the Children and  
9 Family Services Act (20 ILCS 505/5).

10 Eighty percent of the federal funds received by the  
11 Illinois Department of Human Services under the Title IV-A  
12 Emergency Assistance program as reimbursement for expenditures  
13 made from the Illinois Department of Children and Family  
14 Services appropriations for the costs of services in behalf of  
15 Department of Children and Family Services clients shall be  
16 deposited into the DCFS Children's Services Fund.

17 All receipts from federal financial participation in the  
18 Child Welfare Services program under Title IV-B of the federal  
19 Social Security Act, including receipts for related indirect  
20 costs, shall be deposited into the DCFS Children's Services  
21 Fund for those moneys received as reimbursement for services  
22 provided on or after July 1, 1994.

23 In addition, as soon as may be practicable after the first  
24 day of November, 1994, the Department of Children and Family  
25 Services shall request the Comptroller to order transferred and  
26 the Treasurer shall transfer the unexpended balance of the

1 Child Welfare Services Fund to the DCFS Children's Services  
2 Fund. Upon completion of the transfer, the Child Welfare  
3 Services Fund will be considered dissolved and any outstanding  
4 obligations or liabilities of that fund will pass to the DCFS  
5 Children's Services Fund.

6 For services provided on or after July 1, 2007, all federal  
7 funds received pursuant to the John H. Chafee Foster Care  
8 Independence Program shall be deposited into the DCFS  
9 Children's Services Fund.

10 Except as otherwise provided in this Section, moneys ~~Monies~~  
11 in the Fund may be used by the Department, pursuant to  
12 appropriation by the General Assembly, for the ordinary and  
13 contingent expenses of the Department.

14 In fiscal year 1988 and in each fiscal year thereafter  
15 through fiscal year 2000, the Comptroller shall order  
16 transferred and the Treasurer shall transfer an amount of  
17 \$16,100,000 from the DCFS Children's Services Fund to the  
18 General Revenue Fund in the following manner: As soon as may be  
19 practicable after the 15th day of September, December, March  
20 and June, the Comptroller shall order transferred and the  
21 Treasurer shall transfer, to the extent that funds are  
22 available, 1/4 of \$16,100,000, plus any cumulative  
23 deficiencies in such transfers for prior transfer dates during  
24 such fiscal year. In no event shall any such transfer reduce  
25 the available balance in the DCFS Children's Services Fund  
26 below \$350,000.

1           In accordance with subsection (q) of Section 5 of the  
2 Children and Family Services Act, disbursements from  
3 individual children's accounts shall be deposited into the DCFS  
4 Children's Services Fund.

5           Receipts from public and unsolicited private grants, fees  
6 for training, and royalties earned from the publication of  
7 materials owned by or licensed to the Department of Children  
8 and Family Services shall be deposited into the DCFS Children's  
9 Services Fund.

10          As soon as may be practical after September 1, 2005, upon  
11 the request of the Department of Children and Family Services,  
12 the Comptroller shall order transferred and the Treasurer shall  
13 transfer the unexpended balance of the Department of Children  
14 and Family Services Training Fund into the DCFS Children's  
15 Services Fund. Upon completion of the transfer, the Department  
16 of Children and Family Services Training Fund is dissolved and  
17 any outstanding obligations or liabilities of that Fund pass to  
18 the DCFS Children's Services Fund.

19          (Source: P.A. 94-91, eff. 7-1-05; 95-707, eff. 1-11-08.)

20          Section 99. Effective date. This Act takes effect upon  
21 becoming law.