



Rep. Jack D. Franks

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09600HB0366ham003

LRB096 04022 DRJ 24979 a

1 AMENDMENT TO HOUSE BILL 366

2 AMENDMENT NO. _____. Amend House Bill 366, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Mobile Home Local Services Tax Act is
6 amended by changing Section 7 as follows:

7 (35 ILCS 515/7) (from Ch. 120, par. 1207)

8 Sec. 7. The local services tax for owners of mobile homes
9 who (a) are actually residing in such mobile homes, (b) hold
10 title to such mobile home as provided in the "Illinois Vehicle
11 Code", ~~approved September 29, 1969, as amended,~~ and (c) are 65
12 years of age or older or are disabled persons within the
13 meaning of Section 3.14 of the "Senior Citizens and Disabled
14 Persons Property Tax Relief and Pharmaceutical Assistance Act"
15 on the annual billing date shall be reduced to 80 percent of
16 the tax provided for in Section 3 of this Act. Proof that a

1 claimant has been issued an Illinois Disabled Person
2 Identification Card stating that the claimant is under a Class
3 2 disability, as provided in Section 4A of the ~~The~~ Illinois
4 Identification Card Act, shall constitute proof that the person
5 thereon named is a disabled person within the meaning of this
6 Act. An application for reduction of the tax shall be filed
7 with the county clerk by the individuals who are entitled to
8 the reduction. If the application is filed after May 1, the
9 reduction in tax shall begin with the next annual bill.
10 Application for the reduction in tax shall be done by
11 submitting proof that the applicant has been issued an Illinois
12 Disabled Person Identification Card designating the
13 applicant's disability as a Class 2 disability, or by affidavit
14 in substantially the following form:

15 APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

16 I hereby make application for a reduction to 80% of the
17 total tax imposed under "An Act to provide for a local services
18 tax on mobile homes".

19 (1) Senior Citizens

20 (a) I actually reside in the mobile home

21 (b) I hold title to the mobile home as provided in the
22 Illinois Vehicle Code

23 (c) I reached the age of 65 on or before either January 1
24 (or July 1) of the year in which this statement is filed. My
25 date of birth is: ...

26 (2) Disabled Persons

1 (a) I actually reside in the mobile home...

2 (b) I hold title to the mobile home as provided in the
3 Illinois Vehicle Code

4 (c) I was totally disabled on ... and have remained
5 disabled until the date of this application. My Social
6 Security, Veterans, Railroad or Civil Service Total Disability
7 Claim Number is ... The undersigned declares under the penalty
8 of perjury that the above statements are true and correct.

9 Dated (insert date).

10

11 Signature of owner

12

13 (Address)

14

15 (City) (State) (Zip)

16 Approved by:

17

18 (Assessor)

19 This application shall be accompanied by a copy of the
20 applicant's most recent application filed with the Illinois
21 Department on Aging ~~of Revenue~~ under the "Senior Citizens and
22 Disabled Persons Property Tax Relief and Pharmaceutical
23 Assistance Act," ~~approved July 17, 1972, as amended.~~

24 (Source: P.A. 91-357, eff. 7-29-99.)

1 Section 10. The Citizens Utility Board Act is amended by
2 changing Section 9 as follows:

3 (220 ILCS 10/9) (from Ch. 111 2/3, par. 909)

4 Sec. 9. Mailing procedure.

5 (1) As used in this Section:

6 (a) "Enclosure" means a card, leaflet, envelope or
7 combination thereof furnished by the corporation under
8 this Section.

9 (b) "Mailing" means any communication by a State
10 agency, other than a mailing made ~~by the Department of~~
11 ~~Revenue~~ under the Senior Citizens and Disabled Persons
12 Property Tax Relief and Pharmaceutical Assistance Act,
13 that is sent through the United States Postal Service to
14 more than 50,000 persons within a 12-month period.

15 (c) "State agency" means any officer, department,
16 board, commission, institution or entity of the executive
17 or legislative branches of State government.

18 (2) To accomplish its powers and duties under Section 5
19 this Act, the corporation, subject to the following
20 limitations, may prepare and furnish to any State agency an
21 enclosure to be included with a mailing by that agency.

22 (a) A State agency furnished with an enclosure shall
23 include the enclosure within the mailing designated by the
24 corporation.

25 (b) An enclosure furnished by the corporation under

1 this Section shall be provided to the State agency a
2 reasonable period of time in advance of the mailing.

3 (c) An enclosure furnished by the corporation under
4 this Section shall be limited to informing the reader of
5 the purpose, nature and activities of the corporation as
6 set forth in this Act and informing the reader that it may
7 become a member in the corporation, maintain membership in
8 the corporation and contribute money to the corporation
9 directly.

10 (d) Prior to furnishing an enclosure to the State
11 agency, the corporation shall seek and obtain approval of
12 the content of the enclosure from the Illinois Commerce
13 Commission. The Commission shall approve the enclosure if
14 it determines that the enclosure (i) is not false or
15 misleading and (ii) satisfies the requirements of this Act.
16 The Commission shall be deemed to have approved the
17 enclosure unless it disapproves the enclosure within 14
18 days from the date of receipt.

19 (3) The corporation shall reimburse each State agency for
20 all reasonable incremental costs incurred by the State agency
21 in complying with this Section above the agency's normal
22 mailing and handling costs, provided that:

23 (a) The State agency shall first furnish the
24 corporation with an itemized accounting of such additional
25 cost; and

26 (b) The corporation shall not be required to reimburse

1 the State agency for postage costs if the weight of the
2 corporation's enclosure does not exceed .35 ounce
3 avoirdupois. If the corporation's enclosure exceeds that
4 weight, then it shall only be required to reimburse the
5 State agency for postage cost over and above what the
6 agency's postage cost would have been had the enclosure
7 weighed only .35 ounce avoirdupois.

8 (Source: P.A. 87-205.)

9 Section 15. The Senior Citizens and Disabled Persons
10 Property Tax Relief and Pharmaceutical Assistance Act is
11 amended by changing Sections 1, 2, 3.01, 3.04, 3.05, 3.06,
12 3.07, 3.08, 3.09, 3.10, 3.12, 4, 5, 7, 8, 8a, 9, 12, and 13 and
13 by adding Sections 1.5, 3.01a, 3.03a, 3.05a, and 4.05 as
14 follows:

15 (320 ILCS 25/1) (from Ch. 67 1/2, par. 401)

16 Sec. 1. Short title; common name. This Article shall be
17 known and may be cited as the "Senior Citizens and Disabled
18 Persons Property Tax Relief and Pharmaceutical Assistance
19 Act". Common references to the "Circuit Breaker Act" mean this
20 Article. As used in this Article, "this Act" means this
21 Article.

22 (Source: P.A. 83-1531.)

23 (320 ILCS 25/1.5 new)

1 Sec. 1.5. Implementation of Executive Order No. 3 of 2004.
2 Executive Order No. 3 of 2004, in part, provided for the
3 transfer of the programs under this Act from the Department of
4 Revenue to the Department on Aging and the Department of
5 Healthcare and Family Services. It is the purpose of this
6 amendatory Act of the 96th General Assembly to conform this Act
7 and certain related provisions of other statutes to that
8 Executive Order. This amendatory Act of the 96th General
9 Assembly also makes other substantive changes to this Act.

10 (320 ILCS 25/2) (from Ch. 67 1/2, par. 402)

11 Sec. 2. Purpose. The purpose of this Act is to provide
12 incentives to the senior citizens and disabled persons of this
13 State to acquire and retain private housing of their choice and
14 at the same time to relieve those citizens from the burdens of
15 extraordinary property taxes and rising drug costs against
16 their increasingly restricted earning power, and thereby to
17 reduce the requirements for public housing in this State.

18 (Source: P.A. 77-2059.)

19 (320 ILCS 25/3.01) (from Ch. 67 1/2, par. 403.01)

20 Sec. 3.01. Claimant. "Claimant" means an individual who has
21 filed a claim for a property tax relief grant under this Act.
22 In appropriate contexts, "claimant" may also include a person
23 who has applied for pharmaceutical assistance under this Act or
24 for other benefits that are based on eligibility for benefits

1 under this Act.

2 (Source: P.A. 77-2059.)

3 (320 ILCS 25/3.01a new)

4 Sec. 3.01a. Claim year. "Claim year" means the calendar
5 year prior to the period of time during which a claimant may
6 file an application for benefits under this Act.

7 (320 ILCS 25/3.03a new)

8 Sec. 3.03a. Federal Poverty Level. "Federal Poverty Level"
9 means the federal poverty income guidelines as determined
10 annually by the United States Department of Health and Human
11 Services and updated periodically in the Federal Register by
12 that Department under the authority of 42 U.S.C. 9902(2).

13 (320 ILCS 25/3.04) (from Ch. 67 1/2, par. 403.04)

14 Sec. 3.04. Gross rent. "Gross rent ~~Rent~~" means the total
15 amount paid solely for the right to occupy a residence.

16 If the residence is a nursing or sheltered care home,
17 "gross rent" means the amount paid in a taxable year that is
18 attributable to the cost of housing, but not of meals or care,
19 for the claimant in that home, determined in accordance with
20 regulations of the Department on Aging.

21 (Source: P.A. 78-1249; 78-1297.)

22 (320 ILCS 25/3.05) (from Ch. 67 1/2, par. 403.05)

1 Sec. 3.05. Household. "Household" means a claimant or a
2 claimant and his or her spouse, if any, living together in the
3 same residence. An additional resident may be counted in
4 determining household size.

5 (Source: P.A. 77-2059.)

6 (320 ILCS 25/3.05a new)

7 Sec. 3.05a. Additional resident. "Additional resident"
8 means a person who (i) is living in the same residence with a
9 claimant for the claim year and at the time of filing the
10 claim, (ii) is not the spouse of the claimant, (iii) does not
11 file a separate claim under this Act for the same period, and
12 (iv) receives more than half of his or her total financial
13 support for that claim year from the household. An additional
14 resident who meets qualifications may receive pharmaceutical
15 assistance based on a claimant's application.

16 (320 ILCS 25/3.06) (from Ch. 67 1/2, par. 403.06)

17 Sec. 3.06. Household income. "Household income" means the
18 combined income of the members of a household. The term does
19 not include the income of any qualified additional resident who
20 lives with the claimant.

21 (Source: P.A. 77-2059.)

22 (320 ILCS 25/3.07) (from Ch. 67 1/2, par. 403.07)

23 Sec. 3.07. Income. "Income" means adjusted gross income,

1 properly reportable for federal income tax purposes under the
2 provisions of the Internal Revenue Code, modified by adding
3 thereto the sum of the following amounts to the extent deducted
4 or excluded from gross income in the computation of adjusted
5 gross income:

6 (A) An amount equal to all amounts paid or accrued as
7 interest or dividends during the taxable year;

8 (B) An amount equal to the amount of tax imposed by the
9 Illinois Income Tax Act paid for the taxable year;

10 (C) An amount equal to all amounts received during the
11 taxable year as an annuity under an annuity, endowment or
12 life insurance contract or under any other contract or
13 agreement;

14 (D) An amount equal to the amount of benefits paid
15 under the Federal Social Security Act during the taxable
16 year;

17 (E) An amount equal to the amount of benefits paid
18 under the Railroad Retirement Act during the taxable year;

19 (F) An amount equal to the total amount of cash public
20 assistance payments received from any governmental agency
21 during the taxable year other than benefits received
22 pursuant to this Act;

23 (G) An amount equal to any net operating loss carryover
24 deduction or capital loss carryover deduction during the
25 taxable year; and

26 (H) An ~~For claim years beginning on or after January 1,~~

1 ~~2002,~~ an amount equal to any benefits received under the
2 Workers' Compensation Act or the Workers' Occupational
3 Diseases Act during the taxable year.

4 "Income" does not include ~~any grant assistance received~~
5 ~~under the Nursing Home Grant Assistance Act or any~~
6 distributions or items of income described under subparagraph
7 (X) of paragraph (2) of subsection (a) of Section 203 of the
8 Illinois Income Tax Act or any payments under Section 2201 or
9 Section 2202 of the American Recovery and Reinvestment Act of
10 2009.

11 ~~This amendatory Act of 1987 shall be effective for purposes~~
12 ~~of this Section for tax years ending on or after December 31,~~
13 ~~1987.~~

14 (Source: P.A. 91-676, eff. 12-23-99; 92-131, eff. 7-23-01;
15 92-519, eff. 1-1-02.)

16 (320 ILCS 25/3.08) (from Ch. 67 1/2, par. 403.08)

17 Sec. 3.08. Internal Revenue Code. "Internal Revenue Code"
18 means the United States Internal Revenue Code of 1986 ~~1954~~ or
19 any successor law or laws relating to federal income taxes in
20 effect for the year.

21 (Source: P.A. 77-2059.)

22 (320 ILCS 25/3.09) (from Ch. 67 1/2, par. 403.09)

23 Sec. 3.09. Property taxes accrued. "Property taxes
24 accrued" means the ad valorem property taxes extended against a

1 residence, but does not include special assessments, interest
2 or charges for service. In the case of real estate improved
3 with a multidwelling or multipurpose building, "property taxes
4 accrued" extended against a residence within such a building is
5 an amount equal to the same percentage of the total property
6 taxes extended against that real estate as improved as the
7 value of the residence is to the total value of the building.
8 If the multidwelling building is owned and operated as a
9 cooperative, the value of an individual residence is the value
10 of the interest in the cooperative held by the owner of record
11 of the legal or equitable interest, other than a leasehold
12 interest, in the cooperative which confers the right to occupy
13 that residence. In determining the amount of grant under
14 Section 4 ~~for 1976 and thereafter~~, the applicable "property
15 taxes accrued", as determined under this Section, are those
16 payable or paid in the last preceding taxable year.

17 In addition, if the residence is a mobile home as defined
18 in and subject to the tax imposed by the Mobile Home Local
19 Services Tax Act, "property taxes accrued" includes the amount
20 of privilege tax paid during the calendar year for which
21 benefits are claimed under that Act on that mobile home. If
22 ~~Beginning in taxable year 1999, if~~ (i) the residence is a
23 mobile home, (ii) the resident is the record owner of the
24 property upon which the mobile home is located, and (iii) the
25 resident is liable for the taxes imposed under the Property Tax
26 Code for both the mobile home and the property, then "property

1 taxes accrued" includes the amount of property taxes paid on
2 both the mobile home and the property upon which the mobile
3 home is located.

4 (Source: P.A. 91-357, eff. 7-29-99; 91-391, eff. 7-30-99.)

5 (320 ILCS 25/3.10) (from Ch. 67 1/2, par. 403.10)

6 Sec. 3.10. Regulations. "Regulations" includes both rules
7 promulgated and forms prescribed by the applicable Department.
8 In this Act, references to the rules of the Department on Aging
9 or the Department of Healthcare and Family Services shall be
10 deemed to include, in appropriate cases, the corresponding
11 rules adopted by the Department of Revenue, to the extent that
12 those rules continue in force under Executive Order No. 3 of
13 2004.

14 (Source: P.A. 77-2059.)

15 (320 ILCS 25/3.12) (from Ch. 67 1/2, par. 403.12)

16 Sec. 3.12. Residence. "Residence" means the principal
17 dwelling place occupied in this State by a household and so
18 much of the surrounding land as is reasonably necessary for use
19 of the dwelling as a home, and includes rental property, mobile
20 homes, single family dwellings, and units in multifamily,
21 multidwelling or multipurpose buildings. If the assessor has
22 established a specific legal description for a portion of
23 property constituting the residence, then that portion of
24 property shall be deemed "residence" for the purposes of this

1 Act. "Residence" also includes that portion of a nursing or
2 sheltered care home occupied as a dwelling by a claimant,
3 determined as prescribed in regulations of the Department on
4 Aging.

5 (Source: P.A. 78-1249.)

6 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

7 Sec. 4. Amount of Grant.

8 (a) In general. Any individual 65 years or older or any
9 individual who will become 65 years old during the calendar
10 year in which a claim is filed, and any surviving spouse of
11 such a claimant, who at the time of death received or was
12 entitled to receive a grant pursuant to this Section, which
13 surviving spouse will become 65 years of age within the 24
14 months immediately following the death of such claimant and
15 which surviving spouse but for his or her age is otherwise
16 qualified to receive a grant pursuant to this Section, and any
17 disabled person whose annual household income is less than the
18 income eligibility limitation, as defined in subsection (a-5)
19 and whose household is liable for payment of property taxes
20 accrued or has paid rent constituting property taxes accrued
21 and is domiciled in this State at the time he or she files his
22 or her claim is entitled to claim a grant under this Act. With
23 respect to claims filed by individuals who will become 65 years
24 old during the calendar year in which a claim is filed, the
25 amount of any grant to which that household is entitled shall

1 be an amount equal to 1/12 of the amount to which the claimant
2 would otherwise be entitled as provided in this Section,
3 multiplied by the number of months in which the claimant was 65
4 in the calendar year in which the claim is filed.

5 (a-5) Income eligibility limitation. For purposes of this
6 Section, "income eligibility limitation" means an amount for
7 grant years 2008 and thereafter:

8 ~~(i) for grant years before the 1998 grant year, less~~
9 ~~than \$14,000;~~

10 ~~(ii) for the 1998 and 1999 grant year, less than~~
11 ~~\$16,000;~~

12 ~~(iii) for grant years 2000 through 2007:~~

13 ~~(A) less than \$21,218 for a household containing~~
14 ~~one person;~~

15 ~~(B) less than \$28,480 for a household containing 2~~
16 ~~persons; or~~

17 ~~(C) less than \$35,740 for a household containing 3~~
18 ~~or more persons; or~~

19 ~~(iv) for grant years 2008 and thereafter:~~

20 (1) ~~(A)~~ less than \$22,218 for a household containing
21 one person;

22 (2) ~~(B)~~ less than \$29,480 for a household containing 2
23 persons; or

24 (3) ~~(C)~~ less than \$36,740 for a household containing 3
25 or more persons.

26 For 2009 claim year applications submitted during calendar

1 year 2010, a household must have annual household income of
2 less than \$27,610 for a household containing one person; less
3 than \$36,635 for a household containing 2 persons; or less than
4 \$45,657 for a household containing 3 or more persons.

5 The Department on Aging may adopt rules such that on
6 January 1, 2011, and thereafter, the foregoing household income
7 eligibility limits may be changed to reflect the annual cost of
8 living adjustment in Social Security and Supplemental Security
9 Income benefits that is applicable to the year for which those
10 benefits are being reported as income on an application.

11 If a person files as a surviving spouse, then only his or
12 her income shall be counted in determining his or her household
13 income.

14 (b) Limitation. Except as otherwise provided in
15 subsections (a) and (f) of this Section, the maximum amount of
16 grant which a claimant is entitled to claim is the amount by
17 which the property taxes accrued which were paid or payable
18 during the last preceding tax year or rent constituting
19 property taxes accrued upon the claimant's residence for the
20 last preceding taxable year exceeds 3 1/2% of the claimant's
21 household income for that year but in no event is the grant to
22 exceed (i) \$700 less 4.5% of household income for that year for
23 those with a household income of \$14,000 or less or (ii) \$70 if
24 household income for that year is more than \$14,000.

25 (c) Public aid recipients. If household income in one or
26 more months during a year includes cash assistance in excess of

1 \$55 per month from the Department of Healthcare and Family
2 Services or the Department of Human Services (acting as
3 successor to the Department of Public Aid under the Department
4 of Human Services Act) which was determined under regulations
5 of that Department on a measure of need that included an
6 allowance for actual rent or property taxes paid by the
7 recipient of that assistance, the amount of grant to which that
8 household is entitled, except as otherwise provided in
9 subsection (a), shall be the product of (1) the maximum amount
10 computed as specified in subsection (b) of this Section and (2)
11 the ratio of the number of months in which household income did
12 not include such cash assistance over \$55 to the number twelve.
13 If household income did not include such cash assistance over
14 \$55 for any months during the year, the amount of the grant to
15 which the household is entitled shall be the maximum amount
16 computed as specified in subsection (b) of this Section. For
17 purposes of this paragraph (c), "cash assistance" does not
18 include any amount received under the federal Supplemental
19 Security Income (SSI) program.

20 (d) Joint ownership. If title to the residence is held
21 jointly by the claimant with a person who is not a member of
22 his or her household, the amount of property taxes accrued used
23 in computing the amount of grant to which he or she is entitled
24 shall be the same percentage of property taxes accrued as is
25 the percentage of ownership held by the claimant in the
26 residence.

1 (e) More than one residence. If a claimant has occupied
2 more than one residence in the taxable year, he or she may
3 claim only one residence for any part of a month. In the case
4 of property taxes accrued, he or she shall prorate 1/12 of the
5 total property taxes accrued on his or her residence to each
6 month that he or she owned and occupied that residence; and, in
7 the case of rent constituting property taxes accrued, shall
8 prorate each month's rent payments to the residence actually
9 occupied during that month.

10 (f) (Blank). ~~There is hereby established a program of~~
11 ~~pharmaceutical assistance to the aged and disabled which shall~~
12 ~~be administered by the Department in accordance with this Act,~~
13 ~~to consist of payments to authorized pharmacies, on behalf of~~
14 ~~beneficiaries of the program, for the reasonable costs of~~
15 ~~covered prescription drugs. Each beneficiary who pays \$5 for an~~
16 ~~identification card shall pay no additional prescription~~
17 ~~costs. Each beneficiary who pays \$25 for an identification card~~
18 ~~shall pay \$3 per prescription. In addition, after a beneficiary~~
19 ~~receives \$2,000 in benefits during a State fiscal year, that~~
20 ~~beneficiary shall also be charged 20% of the cost of each~~
21 ~~prescription for which payments are made by the program during~~
22 ~~the remainder of the fiscal year. To become a beneficiary under~~
23 ~~this program a person must: (1) be (i) 65 years of age or~~
24 ~~older, or (ii) the surviving spouse of such a claimant, who at~~
25 ~~the time of death received or was entitled to receive benefits~~
26 ~~pursuant to this subsection, which surviving spouse will become~~

1 ~~65 years of age within the 24 months immediately following the~~
2 ~~death of such claimant and which surviving spouse but for his~~
3 ~~or her age is otherwise qualified to receive benefits pursuant~~
4 ~~to this subsection, or (iii) disabled, and (2) be domiciled in~~
5 ~~this State at the time he or she files his or her claim, and (3)~~
6 ~~have a maximum household income of less than the income~~
7 ~~eligibility limitation, as defined in subsection (a 5). In~~
8 ~~addition, each eligible person must (1) obtain an~~
9 ~~identification card from the Department, (2) at the time the~~
10 ~~card is obtained, sign a statement assigning to the State of~~
11 ~~Illinois benefits which may be otherwise claimed under any~~
12 ~~private insurance plans, and (3) present the identification~~
13 ~~card to the dispensing pharmacist.~~

14 ~~The Department may adopt rules specifying participation~~
15 ~~requirements for the pharmaceutical assistance program,~~
16 ~~including copayment amounts, identification card fees,~~
17 ~~expenditure limits, and the benefit threshold after which a 20%~~
18 ~~charge is imposed on the cost of each prescription, to be in~~
19 ~~effect on and after July 1, 2004. Notwithstanding any other~~
20 ~~provision of this paragraph, however, the Department may not~~
21 ~~increase the identification card fee above the amount in effect~~
22 ~~on May 1, 2003 without the express consent of the General~~
23 ~~Assembly. To the extent practicable, those requirements shall~~
24 ~~be commensurate with the requirements provided in rules adopted~~
25 ~~by the Department of Healthcare and Family Services to~~
26 ~~implement the pharmacy assistance program under Section~~

1 ~~5-5.12a of the Illinois Public Aid Code.~~

2 ~~Whenever a generic equivalent for a covered prescription~~
3 ~~drug is available, the Department shall reimburse only for the~~
4 ~~reasonable costs of the generic equivalent, less the co-pay~~
5 ~~established in this Section, unless (i) the covered~~
6 ~~prescription drug contains one or more ingredients defined as a~~
7 ~~narrow therapeutic index drug at 21 CFR 320.33, (ii) the~~
8 ~~prescriber indicates on the face of the prescription "brand~~
9 ~~medically necessary", and (iii) the prescriber specifies that a~~
10 ~~substitution is not permitted. When issuing an oral~~
11 ~~prescription for covered prescription medication described in~~
12 ~~item (i) of this paragraph, the prescriber shall stipulate~~
13 ~~"brand medically necessary" and that a substitution is not~~
14 ~~permitted. If the covered prescription drug and its authorizing~~
15 ~~prescription do not meet the criteria listed above, the~~
16 ~~beneficiary may purchase the non generic equivalent of the~~
17 ~~covered prescription drug by paying the difference between the~~
18 ~~generic cost and the non generic cost plus the beneficiary~~
19 ~~co-pay.~~

20 ~~Any person otherwise eligible for pharmaceutical~~
21 ~~assistance under this Act whose covered drugs are covered by~~
22 ~~any public program for assistance in purchasing any covered~~
23 ~~prescription drugs shall be ineligible for assistance under~~
24 ~~this Act to the extent such costs are covered by such other~~
25 ~~plan.~~

26 ~~The fee to be charged by the Department for the~~

1 ~~identification card shall be equal to \$5 per coverage year for~~
2 ~~persons below the official poverty line as defined by the~~
3 ~~United States Department of Health and Human Services and \$25~~
4 ~~per coverage year for all other persons.~~

5 ~~In the event that 2 or more persons are eligible for any~~
6 ~~benefit under this Act, and are members of the same household,~~
7 ~~(1) each such person shall be entitled to participate in the~~
8 ~~pharmaceutical assistance program, provided that he or she~~
9 ~~meets all other requirements imposed by this subsection and (2)~~
10 ~~each participating household member contributes the fee~~
11 ~~required for that person by the preceding paragraph for the~~
12 ~~purpose of obtaining an identification card.~~

13 ~~The provisions of this subsection (f), other than this~~
14 ~~paragraph, are inoperative after December 31, 2005.~~
15 ~~Beneficiaries who received benefits under the program~~
16 ~~established by this subsection (f) are not entitled, at the~~
17 ~~termination of the program, to any refund of the identification~~
18 ~~card fee paid under this subsection.~~

19 (g) Effective January 1, 2006, there is hereby established
20 a program of pharmaceutical assistance to the aged and
21 disabled, entitled the Illinois Seniors and Disabled Drug
22 Coverage Program, which shall be administered by the Department
23 of Healthcare and Family Services and the Department on Aging
24 in accordance with this subsection, to consist of coverage of
25 specified prescription drugs on behalf of beneficiaries of the
26 program as set forth in this subsection. ~~The program under this~~

1 ~~subsection replaces and supersedes the program established~~
2 ~~under subsection (f), which shall end at midnight on December~~
3 ~~31, 2005.~~

4 To become a beneficiary under the program established under
5 this subsection, a person must:

6 (1) be (i) 65 years of age or older or (ii) disabled;
7 and

8 (2) be domiciled in this State; and

9 (3) enroll with a qualified Medicare Part D
10 Prescription Drug Plan if eligible and apply for all
11 available subsidies under Medicare Part D; and

12 (4) for the 2006 and 2007 claim years, have a maximum
13 household income of (i) less than \$21,218 for a household
14 containing one person, (ii) less than \$28,480 for a
15 household containing 2 persons, or (iii) less than \$35,740
16 for a household containing 3 or more persons; and ~~. If any~~
17 ~~income eligibility limit set forth in items (i) through~~
18 ~~(iii) is less than 200% of the Federal Poverty Level for~~
19 ~~any year, the income eligibility limit for that year for~~
20 ~~households of that size shall be income equal to or less~~
21 ~~than 200% of the Federal Poverty Level.~~

22 (5) for the 2008 claim year, have a maximum household
23 income of (i) less than \$22,218 for a household containing
24 one person, (ii) \$29,480 for a household containing 2
25 persons, or (iii) \$36,740 for a household containing 3 or
26 more persons; and

1 (6) for 2009 claim year applications submitted during
2 calendar year 2010, have annual household income of less
3 than (i) \$27,610 for a household containing one person;
4 (ii) less than \$36,635 for a household containing 2
5 persons; or (iii) less than \$45,657 for a household
6 containing 3 or more persons.

7 The Department of Healthcare and Family Services may adopt
8 rules such that on January 1, 2011, and thereafter, the
9 foregoing household income eligibility limits may be changed to
10 reflect the annual cost of living adjustment in Social Security
11 and Supplemental Security Income benefits that is applicable to
12 the year for which those benefits are being reported as income
13 on an application.

14 All individuals enrolled as of December 31, 2005, in the
15 pharmaceutical assistance program operated pursuant to
16 subsection (f) of this Section and all individuals enrolled as
17 of December 31, 2005, in the SeniorCare Medicaid waiver program
18 operated pursuant to Section 5-5.12a of the Illinois Public Aid
19 Code shall be automatically enrolled in the program established
20 by this subsection for the first year of operation without the
21 need for further application, except that they must apply for
22 Medicare Part D and the Low Income Subsidy under Medicare Part
23 D. A person enrolled in the pharmaceutical assistance program
24 operated pursuant to subsection (f) of this Section as of
25 December 31, 2005, shall not lose eligibility in future years
26 due only to the fact that they have not reached the age of 65.

1 To the extent permitted by federal law, the Department may
2 act as an authorized representative of a beneficiary in order
3 to enroll the beneficiary in a Medicare Part D Prescription
4 Drug Plan if the beneficiary has failed to choose a plan and,
5 where possible, to enroll beneficiaries in the low-income
6 subsidy program under Medicare Part D or assist them in
7 enrolling in that program.

8 Beneficiaries under the program established under this
9 subsection shall be divided into the following 4 ~~5~~ eligibility
10 groups:

11 (A) Eligibility Group 1 shall consist of beneficiaries
12 who are not eligible for Medicare Part D coverage and who
13 are:

14 (i) disabled and under age 65; or

15 (ii) age 65 or older, with incomes over 200% of the
16 Federal Poverty Level; or

17 (iii) age 65 or older, with incomes at or below
18 200% of the Federal Poverty Level and not eligible for
19 federally funded means-tested benefits due to
20 immigration status.

21 (B) Eligibility Group 2 shall consist of beneficiaries
22 ~~otherwise described in Eligibility Group 1 but~~ who are
23 eligible for Medicare Part D coverage.

24 (C) Eligibility Group 3 shall consist of beneficiaries
25 age 65 or older, with incomes at or below 200% of the
26 Federal Poverty Level, who are not barred from receiving

1 federally funded means-tested benefits due to immigration
2 status and are not eligible for Medicare Part D coverage.

3 ~~(D) Eligibility Group 4 shall consist of beneficiaries~~
4 ~~age 65 or older, with incomes at or below 200% of the~~
5 ~~Federal Poverty Level, who are not barred from receiving~~
6 ~~federally funded means tested benefits due to immigration~~
7 ~~status and are not eligible for Medicare Part D coverage.~~

8 If the State applies and receives federal approval for
9 a waiver under Title XIX of the Social Security Act,
10 persons in Eligibility Group 3 ~~4~~ shall continue to receive
11 benefits through the approved waiver, and Eligibility
12 Group 3 ~~4~~ may be expanded to include disabled persons under
13 age 65 with incomes under 200% of the Federal Poverty Level
14 who are not eligible for Medicare and who are not barred
15 from receiving federally funded means-tested benefits due
16 to immigration status.

17 ~~(D) (E) On and after January 1, 2007,~~ Eligibility Group
18 4 ~~5~~ shall consist of beneficiaries who are otherwise
19 described in Eligibility Group 2 ~~Groups 2 and 3~~ who have a
20 diagnosis of HIV or AIDS.

21 The program established under this subsection shall cover
22 the cost of covered prescription drugs in excess of the
23 beneficiary cost-sharing amounts set forth in this paragraph
24 that are not covered by Medicare. In 2006, beneficiaries shall
25 pay a co-payment of \$2 for each prescription of a generic drug
26 and \$5 for each prescription of a brand-name drug. In future

1 years, beneficiaries shall pay co-payments equal to the
2 co-payments required under Medicare Part D for "other
3 low-income subsidy eligible individuals" pursuant to 42 CFR
4 423.782(b). For individuals in Eligibility Groups 1, 2, and 3,
5 ~~and 4,~~ once the program established under this subsection and
6 Medicare combined have paid \$1,750 in a year for covered
7 prescription drugs, the beneficiary shall pay 20% of the cost
8 of each prescription in addition to the co-payments set forth
9 in this paragraph. For individuals in Eligibility Group 4 5,
10 once the program established under this subsection and Medicare
11 combined have paid \$1,750 in a year for covered prescription
12 drugs, the beneficiary shall pay 20% of the cost of each
13 prescription in addition to the co-payments set forth in this
14 paragraph unless the drug is included in the formulary of the
15 Illinois AIDS Drug Assistance Program operated by the Illinois
16 Department of Public Health and covered by the Medicare Part D
17 Prescription Drug Plan in which the beneficiary is enrolled. If
18 the drug is included in the formulary of the Illinois AIDS Drug
19 Assistance Program and covered by the Medicare Part D
20 Prescription Drug Plan in which the beneficiary is enrolled,
21 individuals in Eligibility Group 4 5 shall continue to pay the
22 co-payments set forth in this paragraph after the program
23 established under this subsection and Medicare combined have
24 paid \$1,750 in a year for covered prescription drugs.

25 For beneficiaries eligible for Medicare Part D coverage,
26 the program established under this subsection shall pay 100% of

1 the premiums charged by a qualified Medicare Part D
2 Prescription Drug Plan for Medicare Part D basic prescription
3 drug coverage, not including any late enrollment penalties.
4 Qualified Medicare Part D Prescription Drug Plans may be
5 limited by the Department of Healthcare and Family Services to
6 those plans that sign a coordination agreement with the
7 Department.

8 Notwithstanding Section 3.15, for purposes of the program
9 established under this subsection, the term "covered
10 prescription drug" has the following meanings:

11 For Eligibility Group 1, "covered prescription drug"
12 means: (1) any cardiovascular agent or drug; (2) any
13 insulin or other prescription drug used in the treatment of
14 diabetes, including syringe and needles used to administer
15 the insulin; (3) any prescription drug used in the
16 treatment of arthritis; (4) any prescription drug used in
17 the treatment of cancer; (5) any prescription drug used in
18 the treatment of Alzheimer's disease; (6) any prescription
19 drug used in the treatment of Parkinson's disease; (7) any
20 prescription drug used in the treatment of glaucoma; (8)
21 any prescription drug used in the treatment of lung disease
22 and smoking-related illnesses; (9) any prescription drug
23 used in the treatment of osteoporosis; and (10) any
24 prescription drug used in the treatment of multiple
25 sclerosis. The Department may add additional therapeutic
26 classes by rule. The Department may adopt a preferred drug

1 list within any of the classes of drugs described in items
2 (1) through (10) of this paragraph. The specific drugs or
3 therapeutic classes of covered prescription drugs shall be
4 indicated by rule.

5 For Eligibility Group 2, "covered prescription drug"
6 means those drugs ~~covered for Eligibility Group 1 that are~~
7 ~~also~~ covered by the Medicare Part D Prescription Drug Plan
8 in which the beneficiary is enrolled.

9 ~~For Eligibility Group 3, "covered prescription drug"~~
10 ~~means those drugs covered by the Medicare Part D~~
11 ~~Prescription Drug Plan in which the beneficiary is~~
12 ~~enrolled.~~

13 For Eligibility Group 3 4, "covered prescription drug"
14 means those drugs covered by the Medical Assistance Program
15 under Article V of the Illinois Public Aid Code.

16 For Eligibility Group 4 5, ~~for individuals otherwise~~
17 ~~described in Eligibility Group 2, "covered prescription~~
18 ~~drug" means: (1) those drugs covered for Eligibility Group~~
19 ~~2 that are also covered by the Medicare Part D Prescription~~
20 ~~Drug Plan in which the beneficiary is enrolled; and (2)~~
21 ~~those drugs included in the formulary of the Illinois AIDS~~
22 ~~Drug Assistance Program operated by the Illinois~~
23 ~~Department of Public Health that are also covered by the~~
24 ~~Medicare Part D Prescription Drug Plan in which the~~
25 ~~beneficiary is enrolled. For Eligibility Group 5, for~~
26 ~~individuals otherwise described in Eligibility Group 3,~~

1 "covered prescription drug" means those drugs covered by
2 the Medicare Part D Prescription Drug Plan in which the
3 beneficiary is enrolled.

4 An individual in Eligibility Group 1, 2, 3, or 4, ~~or~~ 5 may
5 opt to receive a \$25 monthly payment in lieu of the direct
6 coverage described in this subsection.

7 Any person otherwise eligible for pharmaceutical
8 assistance under this subsection whose covered drugs are
9 covered by any public program is ineligible for assistance
10 under this subsection to the extent that the cost of those
11 drugs is covered by the other program.

12 The Department of Healthcare and Family Services shall
13 establish by rule the methods by which it will provide for the
14 coverage called for in this subsection. Those methods may
15 include direct reimbursement to pharmacies or the payment of a
16 capitated amount to Medicare Part D Prescription Drug Plans.

17 For a pharmacy to be reimbursed under the program
18 established under this subsection, it must comply with rules
19 adopted by the Department of Healthcare and Family Services
20 regarding coordination of benefits with Medicare Part D
21 Prescription Drug Plans. A pharmacy may not charge a
22 Medicare-enrolled beneficiary of the program established under
23 this subsection more for a covered prescription drug than the
24 appropriate Medicare cost-sharing less any payment from or on
25 behalf of the Department of Healthcare and Family Services.

26 The Department of Healthcare and Family Services or the

1 Department on Aging, as appropriate, may adopt rules regarding
2 applications, counting of income, proof of Medicare status,
3 mandatory generic policies, and pharmacy reimbursement rates
4 and any other rules necessary for the cost-efficient operation
5 of the program established under this subsection.

6 (h) A qualified individual is not entitled to duplicate
7 benefits in a coverage period as a result of the changes made
8 by this amendatory Act of the 96th General Assembly.

9 (Source: P.A. 94-86, eff. 1-1-06; 94-909, eff. 6-23-06; 95-208,
10 eff. 8-16-07; 95-644, eff. 10-12-07; 95-876, eff. 8-21-08.)

11 (320 ILCS 25/4.05 new)

12 Sec. 4.05. Application.

13 (a) The Department on Aging shall establish the content,
14 required eligibility and identification information, use of
15 social security numbers, and manner of applying for benefits in
16 a simplified format under this Act, including claims filed for
17 new or renewed prescription drug benefits.

18 (b) An application may be filed on paper or over the
19 Internet to enable persons to apply separately or for both a
20 property tax relief grant and pharmaceutical assistance on the
21 same application. An application may also enable persons to
22 apply for other State or federal programs that provide medical
23 or pharmaceutical assistance or other benefits, as determined
24 by the Department on Aging in conjunction with the Department
25 of Healthcare and Family Services.

1 (c) Applications must be filed during the time period
2 prescribed by the Department.

3 (320 ILCS 25/5) (from Ch. 67 1/2, par. 405)

4 Sec. 5. Procedure.

5 (a) In general. Claims must be filed after January 1, on
6 forms prescribed by the Department. No claim may be filed more
7 than one year after December 31 of the year for which the claim
8 is filed ~~except that claims for 1976 may be filed until~~
9 ~~December 31, 1978.~~ The pharmaceutical assistance
10 identification card provided for in subsection (f) of Section 4
11 shall be valid for a period determined by the Department of
12 Healthcare and Family Services ~~not to exceed one year. On and~~
13 ~~after January 1, 2002, however, to enable the Department to~~
14 ~~convert coverage for a pharmaceutical assistance program~~
15 ~~participant to a State fiscal year basis, a card shall be valid~~
16 ~~for a longer or shorter period than 12 months, depending on the~~
17 ~~date a timely claim is filed and as determined by the~~
18 ~~Department. All applicants for benefits under this program~~
19 ~~approved for benefits on or after July 1 but on or before~~
20 ~~December 31 of any State fiscal year are eligible for benefits~~
21 ~~through June 30 of that State fiscal year. All applicants for~~
22 ~~benefits under this program approved for benefits on or after~~
23 ~~January 1 but on or before June 30 of any State fiscal year are~~
24 ~~eligible for benefits through June 30 of the following State~~
25 ~~fiscal year.~~

1 (b) Claim is Personal. The right to file a claim under this
2 Act shall be personal to the claimant and shall not survive his
3 death, but such right may be exercised on behalf of a claimant
4 by his legal guardian or attorney-in-fact. If a claimant dies
5 after having filed a timely claim, the amount thereof shall be
6 disbursed to his surviving spouse or, if no spouse survives, to
7 his surviving dependent minor children in equal parts, provided
8 the spouse or child, as the case may be, resided with the
9 claimant at the time he filed his claim. If at the time of
10 disbursement neither the claimant nor his spouse is surviving,
11 and no dependent minor children of the claimant are surviving
12 the amount of the claim shall escheat to the State.

13 (c) One claim per household. Only one member of a household
14 may file a claim under this Act in any calendar year; where
15 both members of a household are otherwise entitled to claim a
16 grant under this Act, they must agree as to which of them will
17 file a claim for that year.

18 (d) (Blank). ~~Content of application form. The form~~
19 ~~prescribed by the Department for purposes of paragraph (a)~~
20 ~~shall include a table, appropriately keyed to the parts of the~~
21 ~~form on which the claimant is required to furnish information,~~
22 ~~which will enable the claimant to determine readily the~~
23 ~~approximate amount of grant to which he is entitled by relating~~
24 ~~levels of household income to property taxes accrued or rent~~
25 ~~constituting property taxes accrued.~~

26 (e) Pharmaceutical Assistance Procedures. ~~The Department~~

1 ~~shall establish the form and manner for application, and~~
2 ~~establish by January 1, 1986 a procedure to enable persons to~~
3 ~~apply for the additional grant or for the pharmaceutical~~
4 ~~assistance identification card on the same application form.~~

5 The Department of Healthcare and Family Services shall
6 determine eligibility for pharmaceutical assistance using the
7 applicant's current income. The Department shall determine a
8 person's current income in the manner provided by the
9 Department by rule.

10 (Source: P.A. 91-533, eff. 8-13-99; 91-699, eff. 1-1-01;
11 92-131, eff. 7-23-01; 92-519, eff. 1-1-02.)

12 (320 ILCS 25/7) (from Ch. 67 1/2, par. 407)

13 Sec. 7. Payment and denial of claims.

14 (a) In general. The Director shall order the payment from
15 appropriations made for that purpose of grants to claimants
16 under this Act in the amounts to which the Department has
17 determined they are entitled, respectively. If a claim is
18 denied, the Director shall cause written notice of that denial
19 and the reasons for that denial to be sent to the claimant.

20 (b) Payment of claims one dollar and under. Where the
21 amount of the grant computed under Section 4 is less than one
22 dollar, the Department shall pay to the claimant one dollar.

23 (c) Right to appeal. Any person aggrieved by an action or
24 determination of the Department on Aging arising under any of
25 its powers or duties under this Act may request in writing that

1 the Department on Aging reconsider its action or determination,
2 setting out the facts upon which the request is based. The
3 Department on Aging shall consider the request and either
4 modify or affirm its prior action or determination. The
5 Department on Aging may adopt, by rule, procedures for
6 conducting its review under this Section.

7 Any person aggrieved by an action or determination of the
8 Department of Healthcare and Family Services arising under any
9 of its powers or duties under this Act may request in writing
10 that the Department of Healthcare and Family Services
11 reconsider its action or determination, setting out the facts
12 upon which the request is based. The Department of Healthcare
13 and Family Services shall consider the request and either
14 modify or affirm its prior action or determination. The
15 Department of Healthcare and Family Services may adopt, by
16 rule, procedures for conducting its review under this Section.

17 ~~Any claimant aggrieved by the action of the Department under~~
18 ~~this Act, whether in the reduction of the amount of the grant~~
19 ~~claimed or in the denial of the claim, may request in writing~~
20 ~~that the Department reconsider its prior determination,~~
21 ~~setting out the facts on which his request is based. The~~
22 ~~Department shall consider the request and either modify or~~
23 ~~affirm its prior determination.~~

24 (d) (Blank). ~~Administrative review. The decision of the~~
25 ~~Department to affirm its prior determination, or the failure of~~
26 ~~the Department to act on a request for reconsideration within~~

1 ~~60 days, is a final administrative decision which is subject to~~
2 ~~judicial review under the Administrative Review Law, and all~~
3 ~~amendments and modifications thereof and the rules adopted~~
4 ~~thereto. The term "administrative decision" is defined as in~~
5 ~~Section 3-101 of the Code of Civil Procedure.~~

6 (Source: P.A. 82-783.)

7 (320 ILCS 25/8) (from Ch. 67 1/2, par. 408)

8 Sec. 8. Records. Every claimant of a grant under this Act
9 and every applicant for pharmaceutical assistance under this
10 Act shall keep such records, render such statements, file such
11 forms and comply with such rules and regulations as the
12 Department on Aging may from time to time prescribe. The
13 Department on Aging may by regulations require landlords to
14 furnish to tenants statements as to gross rent or rent
15 constituting property taxes accrued.

16 (Source: P.A. 77-2059.)

17 (320 ILCS 25/8a) (from Ch. 67 1/2, par. 408.1)

18 Sec. 8a. Confidentiality.

19 (a) Except as otherwise provided in this Act, all
20 information received by the Department of Revenue or its
21 successors, the Department on Aging and the Department of
22 Healthcare and Family Services, from claims filed under this
23 Act, or from any investigation conducted under the provisions
24 of this Act, shall be confidential, except for official

1 purposes within those Departments ~~the Department~~ or pursuant to
2 official procedures for collection of any State tax or
3 enforcement of any civil or criminal penalty or sanction
4 imposed by this Act or by any statute imposing a State tax, and
5 any person who divulges any such information in any manner,
6 except for such purposes and pursuant to order of the Director
7 of one of those Departments or in accordance with a proper
8 judicial order, shall be guilty of a Class A misdemeanor.

9 (b) Nothing contained in this Act shall prevent the
10 Director of Aging from publishing or making available
11 reasonable statistics concerning the operation of the grant
12 programs contained in this Act wherein the contents of claims
13 are grouped into aggregates in such a way that information
14 contained in any individual claim shall not be disclosed.

15 (c) The Department on Aging shall furnish to the Secretary
16 of State such information as is reasonably necessary for the
17 administration of reduced vehicle registration fees pursuant
18 to Section 3-806.3 of "The Illinois Vehicle Code".

19 (Source: P.A. 89-399, eff. 8-20-95.)

20 (320 ILCS 25/9) (from Ch. 67 1/2, par. 409)

21 Sec. 9. Fraud; error.

22 (a) Any person who files a fraudulent claim for a grant
23 under this Act, or who for compensation prepares a claim for a
24 grant and knowingly enters false information on an application
25 ~~a claim form~~ for any claimant under this Act, or who

1 fraudulently files multiple applications ~~claim forms~~, or who
2 fraudulently states that a nondisabled person is disabled, or
3 who fraudulently procures a pharmaceutical assistance benefits
4 ~~identification card~~, or who fraudulently uses such assistance
5 ~~card~~ to procure covered prescription drugs, or who, on behalf
6 of an authorized pharmacy, files a fraudulent request ~~claim~~ for
7 payment, is guilty of a Class 4 felony for the first offense
8 and is guilty of a Class 3 felony for each subsequent offense.

9 (b) The Department on Aging and the Department of
10 Healthcare and Family Services shall immediately suspend ~~the~~
11 ~~use of~~ the pharmaceutical assistance benefits ~~identification~~
12 ~~card~~ of any person suspected of fraudulent procurement or
13 fraudulent use of such assistance ~~card~~, and shall revoke such
14 assistance ~~card~~ upon a conviction. A person convicted of ~~such~~
15 fraud under subsection (a) shall be permanently barred from all
16 of the programs ~~the program of pharmaceutical assistance~~
17 established under this Act.

18 (c) The Department on Aging may recover from a claimant~~,~~
19 ~~including an authorized pharmacy,~~ any amount paid to that
20 claimant under this Act on account of an erroneous or
21 fraudulent claim, together with 6% interest per year. Amounts
22 recoverable from a claimant by the Department on Aging under
23 this Act may, but need not, be recovered by offsetting the
24 amount owed against any future grant payable to the person
25 under this Act.

26 The Department of Healthcare and Family Services may

1 recover from an authorized pharmacy any amount paid to that
2 pharmacy under the pharmaceutical assistance program on
3 account of an erroneous or fraudulent request for payment under
4 that program, together with 6% interest per year. The
5 Department of Healthcare and Family Services may recover from a
6 person who erroneously or fraudulently obtains benefits under
7 the pharmaceutical assistance program the value of the benefits
8 so obtained, together with 6% interest per year.

9 (d) A prosecution for a violation of this Section may be
10 commenced at any time within 3 years of the commission of that
11 violation.

12 (Source: P.A. 85-299.)

13 (320 ILCS 25/12) (from Ch. 67 1/2, par. 412)

14 Sec. 12. Regulations - Department on Aging.

15 (a) Regulations. Notwithstanding any other provision to
16 the contrary, the Department on Aging may adopt rules regarding
17 applications, proof of eligibility, required identification
18 information, use of social security numbers, counting of
19 income, and a method of computing "gross rent" in the case of a
20 claimant living in a nursing or sheltered care home, and any
21 other rules necessary for the cost-efficient operation of the
22 program established under Section 4. ~~The Director shall~~
23 ~~promulgate such regulations as are necessary or desirable to~~
24 ~~effectuate the purposes of this Act, including but not limited~~
25 ~~to the method of computing "gross rent" in the case of a~~

1 ~~claimant living in a nursing or sheltered care home.~~

2 (b) The Department on Aging shall, to the extent of
3 appropriations made for that purpose:

4 (1) attempt to secure the cooperation of appropriate
5 federal, State and local agencies in securing the names and
6 addresses of persons to whom this Act pertains;

7 (2) prepare a mailing list of persons eligible for
8 grants under this Act;

9 (3) secure the cooperation of the Department of
10 Revenue, the Department of Healthcare and Family Services,
11 other State agencies, and ~~of~~ local business establishments
12 to facilitate distribution of applications ~~application~~
13 ~~forms~~ under this Act to those eligible to file claims; and

14 (4) through use of direct mail, newspaper
15 advertisements and radio and television advertisements,
16 and all other appropriate means of communication, conduct
17 an on-going public relations program to increase awareness
18 of eligible citizens of the benefits ~~grants~~ under this Act
19 and the procedures for applying for them.

20 (Source: P.A. 78-1249.)

21 (320 ILCS 25/13) (from Ch. 67 1/2, par. 413)

22 Sec. 13. List of persons who have qualified. The Department
23 on Aging ~~of Revenue~~ shall maintain a list of all persons who
24 have qualified under this Act and shall make the list available
25 to the Department of Healthcare and Family Services, the

1 Department of Public Health, the Secretary of State,
2 municipalities, and public transit authorities upon request.

3 All information received by a State agency, municipality,
4 or public transit authority under this Section shall be
5 confidential, except for official purposes, and any person who
6 divulges or uses that information in any manner, except in
7 accordance with a proper judicial order, shall be guilty of a
8 Class B misdemeanor.

9 (Source: P.A. 87-247.)

10 (320 ILCS 25/3.02 rep.)

11 (320 ILCS 25/3.03 rep.)

12 (320 ILCS 25/3.15 rep.)

13 (320 ILCS 25/3.16 rep.)

14 (320 ILCS 25/3.17 rep.)

15 Section 20. The Senior Citizens and Disabled Persons
16 Property Tax Relief and Pharmaceutical Assistance Act is
17 amended by repealing Sections 3.02, 3.03, 3.15, 3.16, and 3.17.

18 Section 99. Effective date. This Act takes effect January
19 1, 2010."