



Sen. Donne E. Trotter

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LRB097 04506 KTG 59630 a

1 AMENDMENT TO SENATE BILL 773

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 773 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 12-9 as follows:

6 (305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

7 Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The  
8 Public Aid Recoveries Trust Fund shall consist of (1)  
9 recoveries by the Department of Healthcare and Family Services  
10 (formerly Illinois Department of Public Aid) authorized by this  
11 Code in respect to applicants or recipients under Articles III,  
12 IV, V, and VI, including recoveries made by the Department of  
13 Healthcare and Family Services (formerly Illinois Department  
14 of Public Aid) from the estates of deceased recipients, (2)  
15 recoveries made by the Department of Healthcare and Family  
16 Services (formerly Illinois Department of Public Aid) in

1 respect to applicants and recipients under the Children's  
2 Health Insurance Program Act, the Covering ALL KIDS Health  
3 Insurance Act, and the Senior Citizens and Disabled Persons  
4 Property Tax Relief and Pharmaceutical Assistance Act, (3)  
5 federal funds received on behalf of and earned by State  
6 universities and local governmental entities for services  
7 provided to applicants or recipients covered under this Code,  
8 the Children's Health Insurance Program Act, the Covering ALL  
9 KIDS Health Insurance Act, and the Senior Citizens and Disabled  
10 Persons Property Tax Relief and Pharmaceutical Assistance Act,  
11 (3.5) federal financial participation revenue related to  
12 eligible disbursements made by the Department of Healthcare and  
13 Family Services from appropriations required by this Section,  
14 and (4) all other moneys received to the Fund, including  
15 interest thereon. The Fund shall be held as a special fund in  
16 the State Treasury.

17 Disbursements from this Fund shall be only (1) for the  
18 reimbursement of claims collected by the Department of  
19 Healthcare and Family Services (formerly Illinois Department  
20 of Public Aid) through error or mistake, (2) for payment to  
21 persons or agencies designated as payees or co-payees on any  
22 instrument, whether or not negotiable, delivered to the  
23 Department of Healthcare and Family Services (formerly  
24 Illinois Department of Public Aid) as a recovery under this  
25 Section, such payment to be in proportion to the respective  
26 interests of the payees in the amount so collected, (3) for

1 payments to the Department of Human Services for collections  
2 made by the Department of Healthcare and Family Services  
3 (formerly Illinois Department of Public Aid) on behalf of the  
4 Department of Human Services under this Code, the Children's  
5 Health Insurance Program Act, and the Covering ALL KIDS Health  
6 Insurance Act, (4) for payment of administrative expenses  
7 incurred in performing the activities authorized under this  
8 Code, the Children's Health Insurance Program Act, the Covering  
9 ALL KIDS Health Insurance Act, and the Senior Citizens and  
10 Disabled Persons Property Tax Relief and Pharmaceutical  
11 Assistance Act, (5) for payment of fees to persons or agencies  
12 in the performance of activities pursuant to the collection of  
13 monies owed the State that are collected under this Code, the  
14 Children's Health Insurance Program Act, the Covering ALL KIDS  
15 Health Insurance Act, and the Senior Citizens and Disabled  
16 Persons Property Tax Relief and Pharmaceutical Assistance Act,  
17 (6) for payments of any amounts which are reimbursable to the  
18 federal government which are required to be paid by State  
19 warrant by either the State or federal government, and (7) for  
20 payments to State universities and local governmental entities  
21 of federal funds for services provided to applicants or  
22 recipients covered under this Code, the Children's Health  
23 Insurance Program Act, the Covering ALL KIDS Health Insurance  
24 Act, and the Senior Citizens and Disabled Persons Property Tax  
25 Relief and Pharmaceutical Assistance Act. Disbursements from  
26 this Fund for purposes of items (4) and (5) of this paragraph

1 shall be subject to appropriations from the Fund to the  
2 Department of Healthcare and Family Services (formerly  
3 Illinois Department of Public Aid).

4 The balance in this Fund on the first day of each calendar  
5 quarter, after payment therefrom of any amounts reimbursable to  
6 the federal government, and minus the amount reasonably  
7 anticipated to be needed to make the disbursements during that  
8 quarter authorized by this Section, shall be certified by the  
9 Director of Healthcare and Family Services and transferred by  
10 the State Comptroller to the Drug Rebate Fund or the Healthcare  
11 Provider Relief Fund in the State Treasury, as appropriate,  
12 within 30 days of the first day of each calendar quarter. The  
13 Director of Healthcare and Family Services may certify and the  
14 State Comptroller shall transfer to the Drug Rebate Fund  
15 amounts on a more frequent basis.

16 On July 1, 1999, the State Comptroller shall transfer the  
17 sum of \$5,000,000 from the Public Aid Recoveries Trust Fund  
18 (formerly the Public Assistance Recoveries Trust Fund) into the  
19 DHS Recoveries Trust Fund.

20 (Source: P.A. 95-331, eff. 8-21-07; 96-1100, eff. 1-1-11.)

21 Section 99. Effective date. This Act takes effect January  
22 1, 2012."