



Rep. Kelly M. Cassidy

**Filed: 5/24/2012**

09700SB3261ham002

LRB097 19240 HLH 70144 a

1 AMENDMENT TO SENATE BILL 3261

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3261, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Fair Patient Billing Act is amended by  
6 adding Section 27 as follows:

7 (210 ILCS 88/27 new)

8 Sec. 27. Application Procedures for Financial Assistance.

9 (a) Applications. The Attorney General shall, by rule,  
10 adopt standard provisions to be included in all applications  
11 for financial assistance no later than June 30, 2013. On or  
12 before January 1, 2013, a statewide association representing a  
13 majority of hospitals may submit to the Attorney General  
14 recommendations concerning standard provisions to be used in an  
15 application for financial assistance, and the Attorney General  
16 shall take those recommendations into account when adopting

1 rules under this subsection.

2 (b) Presumptive Eligibility. The Attorney General shall,  
3 by rule, adopt appropriate methodologies for the determination  
4 of presumptive eligibility no later than June 30, 2013. On or  
5 before January 1, 2013, a statewide association representing a  
6 majority of hospitals may submit to the Attorney General  
7 recommendations concerning those methodologies, and the  
8 Attorney General shall take those recommendations into account  
9 when adopting rules under this subsection.

10 Section 10. The Hospital Uninsured Patient Discount Act is  
11 amended by changing Section 10 as follows:

12 (210 ILCS 89/10)

13 Sec. 10. Uninsured patient discounts.

14 (a) Eligibility.

15 (1) A hospital, other than a rural hospital or Critical  
16 Access Hospital, shall provide a discount from its charges  
17 to any uninsured patient who applies for a discount and has  
18 family income of not more than 600% of the federal poverty  
19 income guidelines for all medically necessary health care  
20 services exceeding \$300 in any one inpatient admission or  
21 outpatient encounter.

22 (2) A hospital, other than a rural hospital or Critical  
23 Access Hospital, shall provide a charitable discount of  
24 100% of its charges for all medically necessary health care

1        services exceeding \$300 in any one inpatient admission or  
2        outpatient encounter to any uninsured patient who applies  
3        for a discount and has family income of not more than 200%  
4        of the federal poverty income guidelines.

5        (3) ~~(2)~~ A rural hospital or Critical Access Hospital  
6        shall provide a discount from its charges to any uninsured  
7        patient who applies for a discount and has annual family  
8        income of not more than 300% of the federal poverty income  
9        guidelines for all medically necessary health care  
10       services exceeding \$300 in any one inpatient admission or  
11       outpatient encounter.

12       (4) A rural hospital or Critical Access Hospital shall  
13       provide a charitable discount of 100% of its charges for  
14       all medically necessary health care services exceeding  
15       \$300 in any one inpatient admission or outpatient encounter  
16       to any uninsured patient who applies for a discount and has  
17       family income of not more than 125% of the federal poverty  
18       income guidelines.

19       (b) Discount. For all health care services exceeding \$300  
20       in any one inpatient admission or outpatient encounter, a  
21       hospital shall not collect from an uninsured patient, deemed  
22       eligible under subsection (a), more than its charges less the  
23       amount of the uninsured discount.

24       (c) Maximum Collectible Amount.

25       (1) The maximum amount that may be collected in a 12  
26       month period for health care services provided by the

1 hospital from a patient determined by that hospital to be  
2 eligible under subsection (a) is 25% of the patient's  
3 family income, and is subject to the patient's continued  
4 eligibility under this Act.

5 (2) The 12 month period to which the maximum amount  
6 applies shall begin on the first date, after the effective  
7 date of this Act, an uninsured patient receives health care  
8 services that are determined to be eligible for the  
9 uninsured discount at that hospital.

10 (3) To be eligible to have this maximum amount applied  
11 to subsequent charges, the uninsured patient shall inform  
12 the hospital in subsequent inpatient admissions or  
13 outpatient encounters that the patient has previously  
14 received health care services from that hospital and was  
15 determined to be entitled to the uninsured discount.

16 (4) Hospitals may adopt policies to exclude an  
17 uninsured patient from the application of subdivision  
18 (c)(1) when the patient owns assets having a value in  
19 excess of 600% of the federal poverty level for hospitals  
20 in a metropolitan statistical area or owns assets having a  
21 value in excess of 300% of the federal poverty level for  
22 Critical Access Hospitals or hospitals outside a  
23 metropolitan statistical area, not counting the following  
24 assets: the uninsured patient's primary residence;  
25 personal property exempt from judgment under Section  
26 12-1001 of the Code of Civil Procedure; or any amounts held

1           in a pension or retirement plan, provided, however, that  
2           distributions and payments from pension or retirement  
3           plans may be included as income for the purposes of this  
4           Act.

5           (d) Each hospital bill, invoice, or other summary of  
6           charges to an uninsured patient shall include with it, or on  
7           it, a prominent statement that an uninsured patient who meets  
8           certain income requirements may qualify for an uninsured  
9           discount and information regarding how an uninsured patient may  
10          apply for consideration under the hospital's financial  
11          assistance policy.

12          (Source: P.A. 95-965, eff. 12-22-08.)

13           Section 99. Effective date. This Act takes effect upon  
14          becoming law."