

HB3134



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3134

Introduced 2/19/2021, by Rep. Elizabeth Hernandez

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.35

Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to cover immunosuppressive drugs and related services associated with post-kidney transplant management for noncitizens who are not eligible for comprehensive medical benefits but meet certain residency and financial requirements under the Code. Effective immediately.

LRB102 16944 KTG 22360 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 12-4.35 as follows:

6 (305 ILCS 5/12-4.35)

7 Sec. 12-4.35. Medical services for certain noncitizens.

8 (a) Notwithstanding Section 1-11 of this Code or Section
9 20(a) of the Children's Health Insurance Program Act, the
10 Department of Healthcare and Family Services may provide
11 medical services to noncitizens who have not yet attained 19
12 years of age and who are not eligible for medical assistance
13 under Article V of this Code or under the Children's Health
14 Insurance Program created by the Children's Health Insurance
15 Program Act due to their not meeting the otherwise applicable
16 provisions of Section 1-11 of this Code or Section 20(a) of the
17 Children's Health Insurance Program Act. The medical services
18 available, standards for eligibility, and other conditions of
19 participation under this Section shall be established by rule
20 by the Department; however, any such rule shall be at least as
21 restrictive as the rules for medical assistance under Article
22 V of this Code or the Children's Health Insurance Program
23 created by the Children's Health Insurance Program Act.

1 (a-5) Notwithstanding Section 1-11 of this Code, the
2 Department of Healthcare and Family Services may provide
3 medical assistance in accordance with Article V of this Code
4 to noncitizens over the age of 65 years of age who are not
5 eligible for medical assistance under Article V of this Code
6 due to their not meeting the otherwise applicable provisions
7 of Section 1-11 of this Code, whose income is at or below 100%
8 of the federal poverty level after deducting the costs of
9 medical or other remedial care, and who would otherwise meet
10 the eligibility requirements in Section 5-2 of this Code. The
11 medical services available, standards for eligibility, and
12 other conditions of participation under this Section shall be
13 established by rule by the Department; however, any such rule
14 shall be at least as restrictive as the rules for medical
15 assistance under Article V of this Code.

16 (a-10) Notwithstanding the provisions of Section 1-11, the
17 Department shall cover immunosuppressive drugs and related
18 services associated with post-kidney transplant management for
19 noncitizens who: (i) are not eligible for comprehensive
20 medical benefits; (ii) meet the residency requirements of
21 Section 5-3; and (iii) would meet the financial eligibility
22 requirements of Section 5-2.

23 (b) The Department is authorized to take any action,
24 including without limitation cessation or limitation of
25 enrollment, reduction of available medical services, and
26 changing standards for eligibility, that is deemed necessary

1 by the Department during a State fiscal year to assure that
2 payments under this Section do not exceed available funds.

3 (c) Continued enrollment of individuals into the program
4 created under subsection (a) of this Section in any fiscal
5 year is contingent upon continued enrollment of individuals
6 into the Children's Health Insurance Program during that
7 fiscal year.

8 (d) (Blank).

9 (Source: P.A. 101-636, eff. 6-10-20.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.