

SB1739



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1739

Introduced 2/9/2007, by Sen. William Delgado

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-8
305 ILCS 5/12-13

from Ch. 23, par. 5-8
from Ch. 23, par. 12-13

Amends the Illinois Public Aid Code. Under the Medicaid program, authorizes the Department of Healthcare and Family Services to provide for the services of persons licensed as a clinical social worker in supplying medical assistance. Prohibits the Department's rules from requiring that services for a specific Medicaid recipient provided by a licensed clinical social worker be recommended by a physician. Effective immediately.

LRB095 11093 DRJ 31421 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT in relation to 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 Sections 5-8 and 12-13 as follows:

6 (305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

7 Sec. 5-8. Practitioners. In supplying medical assistance,
8 the Illinois Department may provide for the legally authorized
9 services of (i) persons licensed under the Medical Practice Act
10 of 1987, as amended, except as hereafter in this Section
11 stated, whether under a general or limited license, (ii) ~~and of~~
12 persons licensed or registered under other laws of this State
13 to provide dental, medical, pharmaceutical, optometric,
14 podiatric, or nursing services, or other remedial care
15 recognized under State law, and (iii) persons licensed under
16 other laws of this State as a clinical social worker. The
17 Department may not provide for legally authorized services of
18 any physician who has been convicted of having performed an
19 abortion procedure in a wilful and wanton manner on a woman who
20 was not pregnant at the time such abortion procedure was
21 performed. The utilization of the services of persons engaged
22 in the treatment or care of the sick, which persons are not
23 required to be licensed or registered under the laws of this

1 State, is not prohibited by this Section.

2 (Source: P.A. 85-1209.)

3 (305 ILCS 5/12-13) (from Ch. 23, par. 12-13)

4 Sec. 12-13. Rules and regulations. The Department shall
5 make all rules and regulations and take such action as may be
6 necessary or desirable for carrying out the provisions of this
7 Code, to the end that its spirit and purpose may be achieved
8 and the public aid programs administered efficiently
9 throughout the State. However, the rules and regulations shall
10 not provide that payment for services rendered to a specific
11 recipient by (i) a person licensed under the Medical Practice
12 Act of 1987, whether under a general or limited license, (ii)
13 ~~or~~ a person licensed or registered under other laws of this
14 State to provide dental, optometric, or pediatric care, or
15 (iii) a licensed clinical social worker may be authorized only
16 when services are recommended for that recipient by a person
17 licensed to practice medicine in all its branches.

18 Whenever a rule of the Department requires that an
19 applicant or recipient verify information submitted to the
20 Department, the rule, in order to make the public fully aware
21 of what information is required for verification, shall specify
22 the acceptable means of verification or shall list examples of
23 acceptable means of verification.

24 The provisions of the Illinois Administrative Procedure
25 Act are hereby expressly adopted and incorporated herein, and

1 shall apply to all administrative rules and procedures of the
2 Illinois Department under this Act, except that Section 5-35 of
3 the Illinois Administrative Procedure Act relating to
4 procedures for rule-making does not apply to the adoption of
5 any rule required by federal law in connection with which the
6 Illinois Department is precluded by law from exercising any
7 discretion, and the requirements of the Administrative
8 Procedure Act with respect to contested cases are not
9 applicable to (1) hearings involving eligibility of applicants
10 or recipients of public aid or (2) support hearings involving
11 responsible relatives.

12 (Source: P.A. 92-111, eff. 1-1-02.)

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