

# SB2060



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB2060

Introduced 2/7/2008, by Sen. Carole Pankau

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/25

from Ch. 127, par. 161

Amends the State Finance Act concerning fiscal year limitations on spending. With respect to the authority that certain agencies now have to make payments from current appropriations for certain medical services provided in a previous fiscal year, terminates that authority on June 30, 2010.

LRB095 18648 RCE 44735 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing  
5 Section 25 as follows:

6 (30 ILCS 105/25) (from Ch. 127, par. 161)

7 Sec. 25. Fiscal year limitations.

8 (a) All appropriations shall be available for expenditure  
9 for the fiscal year or for a lesser period if the Act making  
10 that appropriation so specifies. A deficiency or emergency  
11 appropriation shall be available for expenditure only through  
12 June 30 of the year when the Act making that appropriation is  
13 enacted unless that Act otherwise provides.

14 (b) Outstanding liabilities as of June 30, payable from  
15 appropriations which have otherwise expired, may be paid out of  
16 the expiring appropriations during the 2-month period ending at  
17 the close of business on August 31. Any service involving  
18 professional or artistic skills or any personal services by an  
19 employee whose compensation is subject to income tax  
20 withholding must be performed as of June 30 of the fiscal year  
21 in order to be considered an "outstanding liability as of June  
22 30" that is thereby eligible for payment out of the expiring  
23 appropriation.

1           However, payment of tuition reimbursement claims under  
2 Section 14-7.03 or 18-3 of the School Code may be made by the  
3 State Board of Education from its appropriations for those  
4 respective purposes for any fiscal year, even though the claims  
5 reimbursed by the payment may be claims attributable to a prior  
6 fiscal year, and payments may be made at the direction of the  
7 State Superintendent of Education from the fund from which the  
8 appropriation is made without regard to any fiscal year  
9 limitations.

10           Through June 30, 2010, medical ~~Medical~~ payments may be made  
11 by the Department of Veterans' Affairs from its appropriations  
12 for those purposes for any fiscal year, without regard to the  
13 fact that the medical services being compensated for by such  
14 payment may have been rendered in a prior fiscal year.

15           Through June 30, 2010, medical ~~Medical~~ payments may be made  
16 by the Department of Healthcare and Family Services and medical  
17 payments and child care payments may be made by the Department  
18 of Human Services (as successor to the Department of Public  
19 Aid) from appropriations for those purposes for any fiscal  
20 year, without regard to the fact that the medical or child care  
21 services being compensated for by such payment may have been  
22 rendered in a prior fiscal year; through June 30, 2010, and  
23 payments may be made at the direction of the Department of  
24 Central Management Services from the Health Insurance Reserve  
25 Fund and the Local Government Health Insurance Reserve Fund  
26 without regard to any fiscal year limitations.

1           Through June 30, 2010, medical ~~Medical~~ payments may be made  
2 by the Department of Human Services from its appropriations  
3 relating to substance abuse treatment services for any fiscal  
4 year, without regard to the fact that the medical services  
5 being compensated for by such payment may have been rendered in  
6 a prior fiscal year, provided the payments are made on a  
7 fee-for-service basis consistent with requirements established  
8 for Medicaid reimbursement by the Department of Healthcare and  
9 Family Services.

10           Additionally, payments may be made by the Department of  
11 Human Services from its appropriations, or any other State  
12 agency from its appropriations with the approval of the  
13 Department of Human Services, from the Immigration Reform and  
14 Control Fund for purposes authorized pursuant to the  
15 Immigration Reform and Control Act of 1986, without regard to  
16 any fiscal year limitations.

17           Further, with respect to costs incurred in fiscal years  
18 2002 and 2003 only, payments may be made by the State Treasurer  
19 from its appropriations from the Capital Litigation Trust Fund  
20 without regard to any fiscal year limitations.

21           Lease payments may be made by the Department of Central  
22 Management Services under the sale and leaseback provisions of  
23 Section 7.4 of the State Property Control Act with respect to  
24 the James R. Thompson Center and the Elgin Mental Health Center  
25 and surrounding land from appropriations for that purpose  
26 without regard to any fiscal year limitations.

1 Lease payments may be made under the sale and leaseback  
2 provisions of Section 7.5 of the State Property Control Act  
3 with respect to the Illinois State Toll Highway Authority  
4 headquarters building and surrounding land without regard to  
5 any fiscal year limitations.

6 (c) Further, through June 30, 2010, payments may be made by  
7 the Department of Public Health and the Department of Human  
8 Services (acting as successor to the Department of Public  
9 Health under the Department of Human Services Act) from their  
10 respective appropriations for grants for medical care to or on  
11 behalf of persons suffering from chronic renal disease, persons  
12 suffering from hemophilia, rape victims, and premature and  
13 high-mortality risk infants and their mothers and for grants  
14 for supplemental food supplies provided under the United States  
15 Department of Agriculture Women, Infants and Children  
16 Nutrition Program, for any fiscal year without regard to the  
17 fact that the services being compensated for by such payment  
18 may have been rendered in a prior fiscal year.

19 (d) The Department of Public Health and the Department of  
20 Human Services (acting as successor to the Department of Public  
21 Health under the Department of Human Services Act) shall each  
22 annually submit to the State Comptroller, Senate President,  
23 Senate Minority Leader, Speaker of the House, House Minority  
24 Leader, and the respective Chairmen and Minority Spokesmen of  
25 the Appropriations Committees of the Senate and the House, on  
26 or before December 31, a report of fiscal year funds used to

1 pay for services provided in any prior fiscal year. This report  
2 shall document by program or service category those  
3 expenditures from the most recently completed fiscal year used  
4 to pay for services provided in prior fiscal years.

5 (e) The Department of Healthcare and Family Services, the  
6 Department of Human Services (acting as successor to the  
7 Department of Public Aid), and the Department of Human Services  
8 making fee-for-service payments relating to substance abuse  
9 treatment services provided during a previous fiscal year shall  
10 each annually submit to the State Comptroller, Senate  
11 President, Senate Minority Leader, Speaker of the House, House  
12 Minority Leader, the respective Chairmen and Minority  
13 Spokesmen of the Appropriations Committees of the Senate and  
14 the House, on or before November 30, a report that shall  
15 document by program or service category those expenditures from  
16 the most recently completed fiscal year used to pay for (i)  
17 services provided in prior fiscal years and (ii) services for  
18 which claims were received in prior fiscal years.

19 (f) The Department of Human Services (as successor to the  
20 Department of Public Aid) shall annually submit to the State  
21 Comptroller, Senate President, Senate Minority Leader, Speaker  
22 of the House, House Minority Leader, and the respective  
23 Chairmen and Minority Spokesmen of the Appropriations  
24 Committees of the Senate and the House, on or before December  
25 31, a report of fiscal year funds used to pay for services  
26 (other than medical care) provided in any prior fiscal year.

1 This report shall document by program or service category those  
2 expenditures from the most recently completed fiscal year used  
3 to pay for services provided in prior fiscal years.

4 (g) In addition, each annual report required to be  
5 submitted by the Department of Healthcare and Family Services  
6 under subsection (e) shall include the following information  
7 with respect to the State's Medicaid program:

8 (1) Explanations of the exact causes of the variance  
9 between the previous year's estimated and actual  
10 liabilities.

11 (2) Factors affecting the Department of Healthcare and  
12 Family Services' liabilities, including but not limited to  
13 numbers of aid recipients, levels of medical service  
14 utilization by aid recipients, and inflation in the cost of  
15 medical services.

16 (3) The results of the Department's efforts to combat  
17 fraud and abuse.

18 (h) As provided in Section 4 of the General Assembly  
19 Compensation Act, any utility bill for service provided to a  
20 General Assembly member's district office for a period  
21 including portions of 2 consecutive fiscal years may be paid  
22 from funds appropriated for such expenditure in either fiscal  
23 year.

24 (i) An agency which administers a fund classified by the  
25 Comptroller as an internal service fund may issue rules for:

26 (1) billing user agencies in advance for payments or

1 authorized inter-fund transfers based on estimated charges  
2 for goods or services;

3 (2) issuing credits, refunding through inter-fund  
4 transfers, or reducing future inter-fund transfers during  
5 the subsequent fiscal year for all user agency payments or  
6 authorized inter-fund transfers received during the prior  
7 fiscal year which were in excess of the final amounts owed  
8 by the user agency for that period; and

9 (3) issuing catch-up billings to user agencies during  
10 the subsequent fiscal year for amounts remaining due when  
11 payments or authorized inter-fund transfers received from  
12 the user agency during the prior fiscal year were less than  
13 the total amount owed for that period.

14 User agencies are authorized to reimburse internal service  
15 funds for catch-up billings by vouchers drawn against their  
16 respective appropriations for the fiscal year in which the  
17 catch-up billing was issued or by increasing an authorized  
18 inter-fund transfer during the current fiscal year. For the  
19 purposes of this Act, "inter-fund transfers" means transfers  
20 without the use of the voucher-warrant process, as authorized  
21 by Section 9.01 of the State Comptroller Act.

22 (Source: P.A. 95-331, eff. 8-21-07.)