

# SB1363



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1363

Introduced 2/8/2011, by Sen. Wm. Sam McCann

#### SYNOPSIS AS INTRODUCED:

215 ILCS 170/22 new

Amends the Covering ALL KIDS Health Insurance Act. Provides that to be eligible for benefits under the Act, an individual who is otherwise eligible must be either a United States citizen or included in one of certain specified categories of non-citizens. Provides that the Department of Healthcare and Family Services may, by rule, cover prenatal care or emergency medical care for non-citizens who are not otherwise eligible under these provisions. Provides that nothing in these provisions affects the eligibility status of a child enrolled in the program on the effective date of the amendatory Act. Effective immediately.

LRB097 07679 KTG 47790 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Covering ALL KIDS Health Insurance Act is  
5 amended by adding Section 22 as follows:

6 (215 ILCS 170/22 new)

7 Sec. 22. Citizenship.

8 (a) To the extent not otherwise provided in this Act or  
9 federal law, all individuals who receive benefits under this  
10 Act must meet the citizenship requirements as established in  
11 this Section. To be eligible for benefits, an individual who is  
12 otherwise eligible must be either a United States citizen or  
13 included in one of the following categories of non-citizens:

14 (1) United States veterans honorably discharged and  
15 persons on active military duty, and the spouse and  
16 unmarried dependent children of these persons.

17 (2) Refugees under Section 207 of the Immigration and  
18 Nationality Act.

19 (3) Asylees under Section 208 of the Immigration and  
20 Nationality Act.

21 (4) Persons for whom deportation has been withheld  
22 under Section 243(h) of the Immigration and Nationality  
23 Act.

1           (5) Persons granted conditional entry under Section  
2           203(a)(7) of the Immigration and Nationality Act as in  
3           effect prior to April 1, 1980.

4           (6) Persons lawfully admitted for permanent residence  
5           under the Immigration and Nationality Act.

6           (7) Parolees, for at least one year, under Section  
7           212(d)(5) of the Immigration and Nationality Act.

8           (8) Nationals of Cuba or Haiti admitted on or after  
9           April 21, 1980.

10           (9) Amerasians from Vietnam, and their close family  
11           members, admitted through the Orderly Departure Program  
12           beginning on March 20, 1988.

13           (10) Persons identified by the federal Office of  
14           Refugee Resettlement (ORR) as victims of trafficking.

15           (11) Persons legally residing in the United States who  
16           were members of a Hmong or Highland Laotian tribe when the  
17           tribe helped United States personnel by taking part in a  
18           military or rescue operation during the Vietnam era  
19           (between August 5, 1965 and May 7, 1975); this also  
20           includes the person's spouse, a widow or widower who has  
21           not remarried, and unmarried dependent children.

22           (12) American Indians born in Canada under Section 289  
23           of the Immigration and Nationality Act and members of an  
24           Indian tribe as defined in Section 4e of the Indian  
25           Self-Determination and Education Assistance Act.

26           (13) Persons who are a spouse, widow, or child of a

1 U.S. citizen or a spouse or child of a legal permanent  
2 resident (LPR) who have been battered or subjected to  
3 extreme cruelty by the U.S. citizen or LPR or a member of  
4 that relative's family who lived with them, who no longer  
5 live with the abuser or plan to live separately within one  
6 month of receipt of assistance and whose need for  
7 assistance is due, at least in part, to the abuse.

8 (b) Those persons who are in the categories set forth in  
9 paragraphs (6) and (7) of subsection (a), who enter the United  
10 States on or after August 22, 1996, shall not be eligible for 5  
11 years beginning on the date the person entered the United  
12 States.

13 (c) The Department may, by rule, cover prenatal care or  
14 emergency medical care for non-citizens who are not otherwise  
15 eligible under this Section.

16 (d) Nothing in this Section shall affect the eligibility  
17 status of a child who is enrolled in the Covering ALL KIDS  
18 Health Insurance Program on the effective date of this  
19 amendatory Act of the 97th General Assembly.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.