



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 3397

2 AMENDMENT NO. _____. Amend Senate Bill 3397 by replacing
3 everything after the enacting clause with the following:

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

1 the close of business on August 31. Any service involving
2 professional or artistic skills or any personal services by an
3 employee whose compensation is subject to income tax
4 withholding must be performed as of June 30 of the fiscal year
5 in order to be considered an "outstanding liability as of June
6 30" that is thereby eligible for payment out of the expiring
7 appropriation.

8 (b-1) However, payment of tuition reimbursement claims
9 under Section 14-7.03 or 18-3 of the School Code may be made by
10 the State Board of Education from its appropriations for those
11 respective purposes for any fiscal year, even though the claims
12 reimbursed by the payment may be claims attributable to a prior
13 fiscal year, and payments may be made at the direction of the
14 State Superintendent of Education from the fund from which the
15 appropriation is made without regard to any fiscal year
16 limitations, except as required by subsection (j) of this
17 Section. Beginning on June 30, 2021, payment of tuition
18 reimbursement claims under Section 14-7.03 or 18-3 of the
19 School Code as of June 30, payable from appropriations that
20 have otherwise expired, may be paid out of the expiring
21 appropriation during the 4-month period ending at the close of
22 business on October 31.

23 (b-2) All outstanding liabilities as of June 30, 2010,
24 payable from appropriations that would otherwise expire at the
25 conclusion of the lapse period for fiscal year 2010, and
26 interest penalties payable on those liabilities under the State

1 Prompt Payment Act, may be paid out of the expiring
2 appropriations until December 31, 2010, without regard to the
3 fiscal year in which the payment is made, as long as vouchers
4 for the liabilities are received by the Comptroller no later
5 than August 31, 2010.

6 (b-2.5) All outstanding liabilities as of June 30, 2011,
7 payable from appropriations that would otherwise expire at the
8 conclusion of the lapse period for fiscal year 2011, and
9 interest penalties payable on those liabilities under the State
10 Prompt Payment Act, may be paid out of the expiring
11 appropriations until December 31, 2011, without regard to the
12 fiscal year in which the payment is made, as long as vouchers
13 for the liabilities are received by the Comptroller no later
14 than August 31, 2011.

15 (b-3) Medical payments may be made by the Department of
16 Veterans' Affairs from its appropriations for those purposes
17 for any fiscal year, without regard to the fact that the
18 medical services being compensated for by such payment may have
19 been rendered in a prior fiscal year, except as required by
20 subsection (j) of this Section. Beginning on June 30, 2021,
21 medical payments payable from appropriations that have
22 otherwise expired may be paid out of the expiring appropriation
23 during the 4-month period ending at the close of business on
24 October 31.

25 (b-4) Medical payments ~~may be made by the Department of~~
26 ~~Healthcare and Family Services and medical payments~~ and child

1 care payments may be made by the Department of Human Services
2 (as successor to the Department of Public Aid) from
3 appropriations for those purposes for any fiscal year, without
4 regard to the fact that the medical or child care services
5 being compensated for by such payment may have been rendered in
6 a prior fiscal year; and payments may be made at the direction
7 of the Department of Healthcare and Family Services (or
8 successor agency) from the Health Insurance Reserve Fund ~~and~~
9 ~~the Local Government Health Insurance Reserve Fund~~ without
10 regard to any fiscal year limitations, except as required by
11 subsection (j) of this Section. Beginning on June 30, 2021,
12 medical and ~~payments made by the Department of Healthcare and~~
13 ~~Family Services,~~ child care payments made by the Department of
14 Human Services, and payments made at the discretion of the
15 Department of Healthcare and Family Services (or successor
16 agency) from the Health Insurance Reserve Fund and ~~the Local~~
17 ~~Government Health Insurance Reserve Fund~~ payable from
18 appropriations that have otherwise expired may be paid out of
19 the expiring appropriation during the 4-month period ending at
20 the close of business on October 31.

21 (b-5) Medical payments may be made by the Department of
22 Human Services from its appropriations relating to substance
23 abuse treatment services for any fiscal year, without regard to
24 the fact that the medical services being compensated for by
25 such payment may have been rendered in a prior fiscal year,
26 provided the payments are made on a fee-for-service basis

1 consistent with requirements established for Medicaid
2 reimbursement by the Department of Healthcare and Family
3 Services, except as required by subsection (j) of this Section.
4 Beginning on June 30, 2021, medical payments made by the
5 Department of Human Services relating to substance abuse
6 treatment services payable from appropriations that have
7 otherwise expired may be paid out of the expiring appropriation
8 during the 4-month period ending at the close of business on
9 October 31.

10 (b-6) Additionally, payments may be made by the Department
11 of 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, except as required by subsection
17 (j) of this Section. Beginning on June 30, 2021, payments made
18 by the Department of Human Services from the Immigration Reform
19 and Control Fund for purposes authorized pursuant to the
20 Immigration Reform and Control Act of 1986 payable from
21 appropriations that have otherwise expired may be paid out of
22 the expiring appropriation during the 4-month period ending at
23 the close of business on October 31.

24 (b-7) Payments may be made in accordance with a plan
25 authorized by paragraph (11) or (12) of Section 405-105 of the
26 Department of Central Management Services Law from

1 appropriations for those payments without regard to fiscal year
2 limitations.

3 (c) Further, payments may be made by the Department of
4 Public Health and ~~7~~ the Department of Human Services (acting as
5 successor to the Department of Public Health under the
6 Department of Human Services Act), ~~7~~ and ~~the Department of~~
7 ~~Healthcare and Family Services~~ from their respective
8 appropriations for grants for medical care to or on behalf of
9 ~~persons suffering from chronic renal disease, persons~~
10 ~~suffering from hemophilia, rape victims, and~~ premature and
11 high-mortality risk infants and their mothers and for grants
12 for supplemental food supplies provided under the United States
13 Department of Agriculture Women, Infants and Children
14 Nutrition Program, for any fiscal year without regard to the
15 fact that the services being compensated for by such payment
16 may have been rendered in a prior fiscal year, except as
17 required by subsection (j) of this Section. Beginning on June
18 30, 2021, payments made by the Department of Public Health and
19 ~~7~~ the Department of Human Services, ~~and the Department of~~
20 ~~Healthcare and Family Services~~ from their respective
21 appropriations for grants for medical care to or on behalf of
22 ~~persons suffering from chronic renal disease, persons~~
23 ~~suffering from hemophilia, rape victims, and~~ premature and
24 high-mortality risk infants and their mothers and for grants
25 for supplemental food supplies provided under the United States
26 Department of Agriculture Women, Infants and Children

1 Nutrition Program payable from appropriations that have
2 otherwise expired may be paid out of the expiring
3 appropriations during the 4-month period ending at the close of
4 business on October 31.

5 (d) The Department of Public Health and the Department of
6 Human Services (acting as successor to the Department of Public
7 Health under the Department of Human Services Act) shall each
8 annually submit to the State Comptroller, Senate President,
9 Senate Minority Leader, Speaker of the House, House Minority
10 Leader, and the respective Chairmen and Minority Spokesmen of
11 the Appropriations Committees of the Senate and the House, on
12 or before December 31, a report of fiscal year funds used to
13 pay for services provided in any prior fiscal year. This report
14 shall document by program or service category those
15 expenditures from the most recently completed fiscal year used
16 to pay for services provided in prior fiscal years.

17 (e) The Department of Healthcare and Family Services, the
18 Department of Human Services (acting as successor to the
19 Department of Public Aid), and the Department of Human Services
20 making fee-for-service payments relating to substance abuse
21 treatment services provided during a previous fiscal year shall
22 each annually submit to the State Comptroller, Senate
23 President, Senate Minority Leader, Speaker of the House, House
24 Minority Leader, the respective Chairmen and Minority
25 Spokesmen of the Appropriations Committees of the Senate and
26 the House, on or before November 30, a report that shall

1 document by program or service category those expenditures from
2 the most recently completed fiscal year used to pay for (i)
3 services provided in prior fiscal years and (ii) services for
4 which claims were received in prior fiscal years.

5 (f) The Department of Human Services (as successor to the
6 Department of Public Aid) shall annually submit to the State
7 Comptroller, Senate President, Senate Minority Leader, Speaker
8 of the House, House Minority Leader, and the respective
9 Chairmen and Minority Spokesmen of the Appropriations
10 Committees of the Senate and the House, on or before December
11 31, a report of fiscal year funds used to pay for services
12 (other than medical care) provided in any prior fiscal year.
13 This report shall document by program or service category those
14 expenditures from the most recently completed fiscal year used
15 to pay for services provided in prior fiscal years.

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

20 (1) Explanations of the exact causes of the variance
21 between the previous year's estimated and actual
22 liabilities.

23 (2) Factors affecting the Department of Healthcare and
24 Family Services' liabilities, including but not limited to
25 numbers of aid recipients, levels of medical service
26 utilization by aid recipients, and inflation in the cost of

1 medical services.

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

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

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

12 (1) billing user agencies in advance for payments or
13 authorized inter-fund transfers based on estimated charges
14 for goods or services;

15 (2) issuing credits, refunding through inter-fund
16 transfers, or reducing future inter-fund transfers during
17 the subsequent fiscal year for all user agency payments or
18 authorized inter-fund transfers received during the prior
19 fiscal year which were in excess of the final amounts owed
20 by the user agency for that period; and

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

26 User agencies are authorized to reimburse internal service

1 funds for catch-up billings by vouchers drawn against their
2 respective appropriations for the fiscal year in which the
3 catch-up billing was issued or by increasing an authorized
4 inter-fund transfer during the current fiscal year. For the
5 purposes of this Act, "inter-fund transfers" means transfers
6 without the use of the voucher-warrant process, as authorized
7 by Section 9.01 of the State Comptroller Act.

8 (i-1) Beginning on July 1, 2021, all outstanding
9 liabilities, not payable during the 4-month lapse period as
10 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and
11 (c) of this Section, that are made from appropriations for that
12 purpose for any fiscal year, without regard to the fact that
13 the services being compensated for by those payments may have
14 been rendered in a prior fiscal year, are limited to only those
15 claims that have been incurred but for which a proper bill or
16 invoice as defined by the State Prompt Payment Act has not been
17 received by September 30th following the end of the fiscal year
18 in which the service was rendered.

19 (j) Notwithstanding any other provision of this Act, the
20 aggregate amount of payments to be made without regard for
21 fiscal year limitations as contained in subsections (b-1),
22 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and
23 determined by using Generally Accepted Accounting Principles,
24 shall not exceed the following amounts:

25 (1) \$6,000,000,000 for outstanding liabilities related
26 to fiscal year 2012;

1 (2) \$5,300,000,000 for outstanding liabilities related
2 to fiscal year 2013;

3 (3) \$4,600,000,000 for outstanding liabilities related
4 to fiscal year 2014;

5 (4) \$4,000,000,000 for outstanding liabilities related
6 to fiscal year 2015;

7 (5) \$3,300,000,000 for outstanding liabilities related
8 to fiscal year 2016;

9 (6) \$2,600,000,000 for outstanding liabilities related
10 to fiscal year 2017;

11 (7) \$2,000,000,000 for outstanding liabilities related
12 to fiscal year 2018;

13 (8) \$1,300,000,000 for outstanding liabilities related
14 to fiscal year 2019;

15 (9) \$600,000,000 for outstanding liabilities related
16 to fiscal year 2020; and

17 (10) \$0 for outstanding liabilities related to fiscal
18 year 2021 and fiscal years thereafter.

19 (k) Department of Healthcare and Family Services Medical
20 Assistance Payments.

21 (1) Definition of Medical Assistance.

22 For purposes of this subsection, the term "Medical
23 Assistance" shall include, but not necessarily be
24 limited to, medical programs and services authorized
25 under Titles XIX and XXI of the Social Security Act,
26 the Illinois Public Aid Code, the Children's Health

1 Insurance Program Act, the Covering ALL KIDS Health
2 Insurance Act, the Long Term Acute Care Hospital
3 Quality Improvement Transfer Program Act, and medical
4 care to or on behalf of persons suffering from chronic
5 renal disease, persons suffering from hemophilia and
6 victims of sexual assault.

7 (2) Limitations on Medical Assistance payments that
8 may be paid from future fiscal year appropriations.

9 (A) The maximum amounts of annual unpaid Medical
10 Assistance bills received and recorded by the
11 Department of Healthcare and Family Services on or
12 before June 30th of a particular fiscal year
13 attributable in aggregate to the General Revenue Fund,
14 Healthcare Provider Relief Fund, Tobacco Settlement
15 Recovery Fund, Long-Term Care Provider Fund, and the
16 Drug Rebate Fund that may be paid in total by the
17 Department from future fiscal year Medical Assistance
18 appropriations to those funds are: \$700,000,000 for
19 fiscal year 2013 and \$100,000,000 for fiscal year 2014
20 and each fiscal year thereafter.

21 (B) Bills for Medical Assistance services rendered
22 in a particular fiscal year, but received and recorded
23 by the Department of Healthcare and Family Services
24 after June 30th of that fiscal year, may be paid from
25 either appropriations for that fiscal year or future
26 fiscal year appropriations for Medical Assistance.

1 Such payments shall not be subject to the requirements
2 of subparagraph (A).

3 (C) Medical Assistance bills received by the
4 Department of Healthcare and Family Services in a
5 particular fiscal year, but subject to payment amount
6 adjustments in a future fiscal year may be paid from a
7 future fiscal year's appropriation for Medical
8 Assistance. Such payments shall not be subject to the
9 requirements of subparagraph (A).

10 (D) Medical Assistance payments made by the
11 Department of Healthcare and Family Services from
12 funds other than those specifically referenced in
13 subparagraph (A) may be made from appropriations for
14 those purposes for any fiscal year without regard to
15 the fact that the Medical Assistance services being
16 compensated for by such payment may have been rendered
17 in a prior fiscal year. Such payments shall not be
18 subject to the requirements of subparagraph (A).

19 (3) Extended lapse period for Department of Healthcare
20 and Family Services Medical Assistance payments.
21 Notwithstanding any other State law to the contrary,
22 outstanding Department of Healthcare and Family Services
23 Medical Assistance liabilities, as of June 30th, payable
24 from appropriations which have otherwise expired, may be
25 paid out of the expiring appropriations during the 6-month
26 period ending at the close of business on December 31st.

1 (1) The changes to this Section made by this amendatory Act
2 of the 97th General Assembly shall be effective for payment of
3 Medical Assistance bills incurred in fiscal year 2013 and
4 future fiscal years. The changes to this Section made by this
5 amendatory Act of the 97th General Assembly shall not be
6 applied to Medical Assistance bills incurred in fiscal year
7 2012 or prior fiscal years.

8 (Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10;
9 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff.
10 8-12-11.)

11 Section 98. This Act does not take effect at all unless
12 both House Bill 5007, as amended, of the 97th General Assembly
13 and Senate Bill 2840, as amended, of the 97th General Assembly
14 become law.

15 Section 99. Effective date. This Act takes effect July 1,
16 2012."