

# HB2334



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2334

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5C-3

from Ch. 23, par. 5C-3

Amends the Developmentally Disabled Care Provider Fund Article of the Illinois Public Aid Code. Provides that a developmentally disabled care facility that has delayed payment due to the State's failure to reimburse for services rendered may request an extension of the due date for payment and shall pay the assessment within 30 days of reimbursement by the Department of Healthcare and Family Services for the period the assessment is levied. Provides that the Department shall not deny a request for delay of payment of the assessment if the developmentally disabled care provider has not been paid for services provided during the quarter on which the assessment is levied. Effective immediately.

LRB098 06409 KTG 37877 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 5C-3 as follows:

6 (305 ILCS 5/5C-3) (from Ch. 23, par. 5C-3)

7 Sec. 5C-3. Payment of assessment; penalty.

8 (a) The assessment imposed by Section 5C-2 for a State  
9 fiscal year shall be due and payable in quarterly installments,  
10 each equalling one-fourth of the assessment for the year, on  
11 September 30, December 31, March 31, and May 31 of the year. A  
12 facility that has delayed payment due to the State's failure to  
13 reimburse for services rendered may request an extension of the  
14 due date for payment pursuant to subsection (b) and shall pay  
15 the assessment within 30 days of reimbursement by the Illinois  
16 Department for the period the assessment is levied.

17 (b) The Illinois Department is authorized to establish  
18 delayed payment schedules for developmentally disabled care  
19 providers that are unable to make installment payments when due  
20 under this Section due to financial difficulties, as determined  
21 by the Illinois Department. The Illinois Department shall not  
22 deny a request for delay of payment of the assessment imposed  
23 under this Article if the developmentally disabled care

1 provider has not been paid for services provided during the  
2 quarter on which the assessment is levied.

3 (c) If a developmentally disabled care provider fails to  
4 pay the full amount of an installment when due (including any  
5 extensions granted under subsection (b)), there shall, unless  
6 waived by the Illinois Department for reasonable cause, be  
7 added to the assessment imposed by Section 5C-2 for the State  
8 fiscal year a penalty assessment equal to the lesser of (i) 5%  
9 of the amount of the installment not paid on or before the due  
10 date plus 5% of the portion thereof remaining unpaid on the  
11 last day of each month thereafter or (ii) 100% of the  
12 installment amount not paid on or before the due date. For  
13 purposes of this subsection, payments will be credited first to  
14 unpaid installment amounts (rather than to penalty or  
15 interest), beginning with the most delinquent installments.

16 (Source: P.A. 87-861; 88-88.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.