

2004 Session Report

Illinois General Assembly Completes Budget Funding Increases for HIV/AIDS Programs Secured

Eight weeks after the deadline to set the fiscal year 2005 budget, the Illinois legislature passed and Governor Blagojevich approved a \$43 billion state budget, which includes an additional \$4.25 million in funding for critical HIV prevention and care services. These funds are desperately needed to protect the health of people living with and at risk for HIV, and will ensure that vital programs continue.

The \$4.25 million increase represents a combined \$3.1 million for the AIDS Drug Assistance Program (ADAP) and \$1.15 million for HIV prevention programs in communities of color. With these increases, Illinois' ADAP will be able to serve the growing number of uninsured people who need assistance obtaining HIV/AIDS-related medication and expand the program to include access to other medically necessary classes of drugs, such as mental health therapies.

Additionally, the state will expand and enhance community-based HIV prevention education programs among populations hardest hit by the epidemic. In 2002, 70% of reported AIDS cases in Illinois were among people of color.

Other budget items important to the AIDS community are increased support for the Family Care program and the Home Services Program of the Office of Rehabilitative Services. The budget contains funds to continue the expansion of the Family Care program which extends Medicaid coverage to the parents of KidCare recipients. In FY 05, the program will cover an additional 77,000 people and expand eligibility to families living at 133% of the federal poverty level. Additionally, the budget increases funding for home services through the Office of Rehabilitative Services which assists people living with disabilities, including over 1,400 people living with HIV/AIDS.

Non-budgetary Legislation

AFC commends State Rep. Larry McKeon (D-Chicago) for championing **House Bill 3857** to expand access to organ donations by and for people with HIV/AIDS. The bill passed both chambers and was signed into law by Gov. Blagojevich on July 15, 2004.

In addition, State Rep. Connie Howard (D-Chicago) led efforts to pass **Senate Bill 3191**, known as the "African American HIV/AIDS Response Act," to promote HIV counseling, testing, and prevention services, Medicaid coverage for non-disabled and low-income people with HIV, and the placement of liaisons in several state offices and departments to help coordinate responses to the HIV/AIDS crisis in the African American community. Although time ran out before the bill could be heard on the House floor, Rep. Howard worked tirelessly to advance this important measure.

Other legislative priorities—including measures to combat housing discrimination, expand access to benefits for disabled individuals, and improve the state's guardianship program for children and disabled adults—failed to advance during this legislative session.

A full description of AIDS-related legislation AFC monitored this year and the final outcome on each item is listed in the chart below.

HIV Prevention

Bill and Sponsors:	Issue:	Status:
<p>HB 3926: HIV Prevention in Prisons</p> <p>Representatives: Flowers, M. Davis</p> <p>AFC Position: Supports</p>	<p>HB 3926 requires the Illinois Department of Corrections to provide HIV prevention education to all state inmates. It would also make educational materials available to all correctional facility visitors, in an attempt to educate the families and friends of inmates. Prior to release, all inmates would be offered HIV counseling, testing, and referrals to appropriate community-based organizations in the event that they test HIV-positive.</p>	<p>HB3926 was not called for a hearing.</p>
<p>HB 4676: HIV Prevention Funding in Communities of Color</p> <p>Representative: Howard</p> <p>AFC Position: Supports</p>	<p>HB 4676 appropriates \$3 million for HIV prevention programs in communities of color.</p>	<p>HB 4676 was not called for a hearing.</p>
<p>SB 3191: African American HIV/AIDS Response Act</p> <p>Senators: E. Jones, DeLeo</p> <p>Representatives: Howard, Hannig, L. Jones, Washington, Flowers</p> <p>AFC Position: Supports</p>	<p>SB 3191 responds to HIV/AIDS in the African-American community by: (1) creating liaisons in the governor's office and in the Departments of Public Health, Public Aid, and Corrections to coordinate efforts against HIV/AIDS in the African American community; (2) requiring state agencies that serve the public to make space available for HIV counseling and testing services and the distribution of safer sex materials; (3) creating an exemption from work requirements under the Temporary Assistance for Needy Families (TANF) program for individuals unable to work because of health reasons; and (4) requiring Illinois to expand Medicaid coverage for income-eligible, HIV-positive individuals before they become disabled.</p>	<p>SB 3191 passed the House Human Services Committee 7-0 on May 25. The bill was not called for a vote by deadline.</p>

Access to Health Care

Bill and Sponsors:	Issue:	Status:
<p>HB 3983: ADAP Funding</p> <p>Representatives: Feigenholtz, Osterman</p> <p>AFC Position: Supports</p>	<p>HB 3983 increases funding for the AIDS Drug Assistance Program by \$6 million.</p>	<p>HB 3983 was not called for a hearing.</p>

<p>HB 3857: Organ Donation</p> <p>Representatives: McKeon, Miller, Sacia, Howard, Ryg, Flowers</p> <p>Senator: Cullerton, Martinez, Collins, Hunter, Ronen</p> <p>AFC Position: Support</p>	<p>HB 3857 allows an HIV-positive person to donate an organ to another HIV-positive person, increasing the number of organs available to people living with HIV/AIDS.</p>	<p>HB 3857 passed the House Health Care Availability & Access Committee 18-1 on February 24, and passed the full House 95-22 on March 2. The bill passed the Senate Public Health and Welfare Committee 9-0 on April 1, and passed the full Senate 55-2 on May 5. Governor Blagojevich signed the bill into law on July 15, 2004.</p>
<p>HB 4868 and SB 2440: Medical Marijuana</p> <p>Representatives: McKeon, Graham, Mendoza, Yarbrough, Feigenholtz</p> <p>Senator: Ronen</p> <p>AFC Position: Supports</p>	<p>HB 4868 and SB 2440 allow individuals to use marijuana under a physician's care through a program established by the Department of Human Services. For more information on this issue, visit the Marijuana Policy Project at www.mpp.org.</p>	<p>HB 4868 was debated in the House Health Care Availability & Access Committee on March 2 and referred to a subcommittee. No further action was taken on the bill.</p> <p>SB 2440 was not called for a hearing by the committee.</p>
<p>HB 4622 and SB 2640: Medicaid Access</p> <p>Representatives: Ryg</p> <p>Senator: Radogno</p> <p>AFC Position: Supports</p>	<p>HB 4622 (Ryg) and SB 2640 (Radogno) reform the rules and processes used by the state to determine an individual's disability status for purposes of public benefits. The bills ensure that disabled people with HIV be treated fairly in efforts to receive public benefits for which they are eligible.</p>	<p>HB 4622 passed the House Human Services Committee on March 3 with a vote of 5-1, but was not called for a full vote in the House.</p> <p>SB 2640 was not called for a hearing by the committee.</p>
<p>HB 5925: Limiting Insurance Coverage</p> <p>Representatives: Mautino, Krause, Black, Osmond, Burke, McGuire, Dunkin, Parke, Leitch, Dugan, Holbrook, Mendoza, Berrios, Reitz, Davis, Cultra, Sullivan</p> <p>Senators: Jacobs, Brady, Viverito, Petersen, Righter, Sieben, Petka, J. Jones, W. Jones</p> <p>AFC Position: Oppose</p>	<p>HB 5925 allows employers to offer, and health insurance companies to sell, health insurance plans without coverage for services that the state currently requires as part of any health insurance plan. Exempt covered services include female contraception, HIV testing for pregnant women, Pap smears, in-patient alcohol treatment, and many other essential services. For more information visit Planned Parenthood at www.plannedparenthoodcouncil.org.</p>	<p>HB 5925 passed the House Insurance & Pensions Committee on March 2 with a vote of 11-0 and passed the full House on March 30 with a vote of 82-30.</p> <p>The bill was not acted on in the Senate.</p>

<p>SB 2581: Universal Health Care</p> <p>Senators: Obama, Demuzio, Halvorson, Collins, Trotter, Garrett, Lightford, Hunter, Forby, Martinez, Cullerton, Schoenberg, Haine, Munoz, Clayborne, del Valle, Crotty, Harmon, Walsh, Hendon, Silverstein, Link, Sandoval</p> <p>HB 2268:</p> <p>Representatives: Delgado, Flowers, Giles, Collins, M. Davis, McKeon, Brosnahan, Kelly, Jakobsson, Ryg, Osterman, W. Davis, Soto, Colvin, Younge, Hamos, Yarbrough</p> <p>Senators: Obama, Harmon, Collins, Hunter, Trotter, Martinez, Halvorson, Crotty, Viverito, Hendon, Silverstein, del Valle, Lightford, Garrett, Link, Cullerton, Schoenberg, Munoz, DeLeo, Sandoval, Meeks</p> <p>AFC Position: Supports</p>	<p>HB 2268 / SB 2581 move Illinois towards universal healthcare by creating a community-based task force charged with developing a plan for Illinois to achieve universal healthcare coverage. The plan must be designed to provide Illinoisans with access to a full range of preventive, acute, and long-term health care services by 2007. A Senate amendment establishes that the state is not bound to implement the plan that results from the process. For more information, visit the Campaign for Better Health Care at www.cbhconline.org.</p>	<p>SB 2581 passed the Senate Insurance Committee 6-3 on February 24. No further action was taken.</p> <p>HB 2268 passed the House Health Care Access and Availability Committee 11-1 on March 12, and passed the full House 60-45 on April 1. The bill was amended and passed out of the Senate Public Health and Welfare Committee 7-3 on May 18, and passed the full Senate 31-26 on May 19. Governor Blagojevich signed the bill into law on August 20, 2004.</p>
<p>HB 4017 and SB 2200: Consolidation of Services</p> <p>Representatives: Joyce, Froehlich</p> <p>Senator: Harmon</p> <p>AFC Position: Supports</p>	<p>HB 4017 and SB 2200 dissolve the Suburban Cook County Tuberculosis Sanitarium District and integrate Tuberculosis control services into the Cook County Department of Public Health, allowing for better coordination between HIV/AIDS and TB services.</p>	<p>HB 4017 passed the House Local Government Committee on March 4 with a vote of 22-0, but was not acted on by the full House.</p> <p>SB 2200 passed the Senate Executive Committee on February 26 with a vote of 7-5, but was not acted on by the full Senate.</p>

Housing

Bill and Sponsors:	Issue:	Status:
<p>HB 4439: Access to Housing</p> <p>Representatives: Yarbrough, McKeon, Ryg, Beaubien, Soto, Kelly, Graham, L. Jones, Turner, Younge, Feigenholtz, Delgado, Howard, Washington, Giles, Collins, Morrow, Osterman, Bailey, Hamos, Flowers, M. Davis, McGuire, Pihos, W. Davis, Froehlich, Dunkin, May, Acevedo, Currie, Aguilar, Colvin, Molaro</p> <p>AFC Position: Supports</p>	<p>HB 4439 prohibits discrimination against renters based on the source of their income. This bill will prohibit landlords from denying a lease to an individual solely because they use a public subsidy – including HOPWA – to pay their rent. For more information, visit the National Center on Poverty Law at www.povertylaw.org.</p>	<p>HB 4439 passed the House Housing & Urban Development Committee on March 2 with a vote of 13-5, but was not considered by the full House.</p>

Permanency Planning

Bill and Sponsors:	Issue:	Status:
<p>HB 6563: Best Interest Guardianship</p> <p>Representatives: Washington, Feigenholtz, Currie, Mathias</p> <p>AFC Position: Supports</p>	<p>HB 6563 allows judges to appoint the best guardian for a child or disabled adult, even if that person has a previous felony conviction.</p>	<p>HB 6563 passed the House Judiciary I – Civil Law Committee on March 4 with a vote of 12-2, and failed to pass the full House on March 30 with a vote of 36-79.</p>
<p>HB 6564: Stand-By Adoption</p> <p>Representatives: Currie, Fritchey, Feigenholtz, Miller, Joyce</p> <p>Senators: Collins, Hunter, Martinez</p> <p>AFC Position: Supports</p>	<p>HB 6564 removes the requirement that a parent be “terminally ill” before they are able to name a person to adopt their children if and when they become unable to care for them themselves. The change is needed to help promote permanency planning among chronically ill individuals reluctant to define themselves as “terminally ill.”</p>	<p>HB 6564 passed the House Judiciary I – Civil Law Committee on March 4 with a vote of 17-0, and passed the full House on March 24 with a vote of 116 – 0. The bill passed the Senate Public Health and Welfare Committee 9-0 on April 21 and passed the full Senate 56-0 on May 11. Governor Blagojevich signed this bill into law on July 14, 2004.</p>