

AIDS Foundation OF CHICAGO

2006 Legislative Update: Spring Session of the Illinois General Assembly

The AIDS Foundation of Chicago (AFC) monitors and responds to HIV/AIDS-related legislation introduced in the Illinois General Assembly. The following is a list of bills AFC is currently monitoring. For additional information on the bills described below, please visit the Illinois General Assembly website at www.ilga.gov.

Stay tuned to AFC's Statewide Advocacy Network for the latest HIV/AIDS policy news in Illinois. Join the network at www.aidschicago.org.

Key: HB=House Bill; SB=Senate Bill; HR=House Resolution; SR=Senate Resolution

HEALTHCARE/TREATMENT EXPANSION

Helping Low-Income Medicare Beneficiaries Living with HIV / [HB 4302](#): (Sponsor: Feigenholtz, D-Chicago; Co-Sponsors: McKeon, Franks, Chapa LaVia, Yarborough, Coulson, Mulligan, Osterman, Currie, M. Davis, Howard)

AFC Position: Support

Issue: HB 4302 expands the Illinois Cares Rx program to cover HIV medications for people who are eligible for the new Medicare prescription drug program but cannot afford the out-of-pocket costs. The bill makes good public health and fiscal sense by helping people with HIV obtain lifesaving HIV medications and maximizing federal Medicare spending for AIDS care in Illinois.

Status: The House passed the bill by a vote of 111 to 1 on February 1, 2006. State Senator Carol Ronen (D-Chicago) is sponsoring the bill in the Senate.

All Kids Dependent Student Coverage / [HB 4447](#): (Sponsor: Patterson, D-Chicago; Co-Sponsors: L. Jones, M. Davis, Rita, Soto, Acevedo)

AFC Position: Support

Issue: Expands the All Kids Health Insurance Program to allow dependent children between 19 and 23 years of age to buy into the program if the child was enrolled before turning 18, is in college full-time, and can be claimed as a dependent for tax purposes.

Status: The House Healthcare Availability and Access Committee passed the bill by a vote of 6 to 5 on February 8. Action on the bill is now pending in the House.

Sexual Assault Survivor's Treatment Act Report / [HB 5300](#): (Sponsor: Mulligan, D-Park Ridge; Co-Sponsors: Feigenholtz, Delgado, Coulson, Jakobsson)

AFC Position: Support

Issue: Requires the Illinois Department of Public Health to prepare an annual report to the General Assembly containing information on hospitals that have submitted a plan to provide emergency services to victims of sexual assault, which must include an offer of HIV/AIDS counseling and testing and prophylactic HIV/AIDS treatment.

Status: The House Human Services Committee passed the bill by a unanimous vote on February 8. Action on the bill is now pending in the House.

Pre-Pay Medicaid Spend-Down / [SB 2308](#): (Senate Sponsor: Link, D-Vernon Hills; Co-Sponsor: Crotty; House Sponsor: Ryg, D-Vernon Hills)

AFC Position: Support

Issue: Allows individuals to pay the amount of their Medicaid spend-down as a premium instead of requiring proof of monthly out-of-pocket healthcare expenditures. The bill promotes continuity of care for Medicaid beneficiaries, including those living with HIV/AIDS, on a monthly spend-down.

Status: The Senate Health and Human Services Committee passed the bill unanimously on February 1. The bill passed the Senate 58-0 on February 23, and awaits action in the House.

Medicaid Drug Prior Approval / [HB 4779](#) and [SB 2432](#): (House Sponsor: Coulson, R-Glenview; Co-Sponsors: Bellock, Leitch. Senate Sponsor: Raoul, D-Chicago; Senate Co-Sponsors: Martinez, Syverson)

AFC Position: Support

Issue: Prohibits the Department of Healthcare and Family Services from imposing prior approval for antiretrovirals or other drugs under the Medicaid program. Under current law, the Department can impose such requirements 30 days after reporting to the House and Senate on the likely impact of such a policy on patient care.

Status: The bill was not called for a vote in committee by the deadline.

Healthy Illinois Act / [SB 2561](#) and [HB 4961](#): (Senate Sponsor: Halverson, D-Crete; Collins; Co-Sponsors: Hunter, Sandoval, Crotty, Raoul; House Sponsor: Flowers, D-Chicago)

AFC Position: Support

Issue: Establishes a statewide, comprehensive health insurance plan that would be administered by private insurance carriers. Small businesses and small municipalities with 2 to 50 employees would be eligible, as well as the self-employed and other uninsured individuals. For enrollees earning less than 300% of federal poverty, premiums would be on a sliding scale. The creation of such a plan would be especially beneficial to HIV-positive people and others with chronic conditions who work for small companies as well as self-employed individuals.

Status: The Senate Health and Human Services passed the bill a vote of 7 of 4 on February 16; the bill is now pending action by the full Senate. HB 4961 was introduced in the House on Jan. 19 and referred to the Rules Committee.

Medical Cannabis Act / [SB 2568](#): (Sponsor: Cullerton, D-Chicago; Co-Sponsor: Raoul, Martinez)

AFC Position: Support

Issue: Allows people who have been diagnosed with a debilitating illness such as HIV/AIDS to possess and use marijuana as part of a doctor-prescribed treatment plan.

Status: The Senate Health and Human Services Committee passed the bill by a vote of 6 to 5 on February 16; the bill is now pending action by the full Senate.

Sexual Assault Survivor's Treatment Act Amendments / [SB 2850](#): (Sponsor: Schoenberg, D-Evanston)

AFC Position: Support

Issue: Changes billing practices for the Sexual Assault Survivor's Treatment program, including payment for follow-up care and HIV/AIDS prophylactic treatment.

Status: The bill was introduced in the Senate on January 20 and referred to the Rules Committee.

HIV PREVENTION

Mandated HIV Testing of Newborns / [HB 4306](#) (Sponsor: Flowers, D-Chicago; Co-Sponsors: Dunkin, Coulson, Ryg, Chapa LaVia, Collins, Kelly, Boland, Mulligan, Nekritz, Hamos, Mendoza, Acevedo, Miller, Turner, Burke, Hoffman, Scully, Yarbrough, Fritchey, Berrios, Chavez, Tenhouse, Delgado, M. Davis, W. Davis, Schock, R. Bradley, Soto, Black)

AFC Position: Neutral

Issue: The bill mandates HIV testing of newborns when the mother's HIV status is unreported. The bill also requires the mother's HIV status to be recorded in the newborn's medical record. Children's Memorial Hospital and the Illinois Department of Public Health are the bill's primary proponents.

Status: AFC organized opposition to the bill but failed to prevent it from moving forward. The House Human Services Committee passed the bill by a vote of 9 to 3 on January 19. Recognizing that passage in the House is virtually assured, AFC and Pediatric AIDS Chicago Prevention Initiative (PACPI) negotiated with Children's Memorial and Rep. Mary Flowers to add to the bill several amendments requiring hospitals to utilize the perinatal HIV hotline, mandating monthly and annual reporting on rapid HIV tests conducted on pregnant women and newborns, and mandating IDPH to offer case management services to HIV-positive new mothers. With acceptance of the amendments, AFC dropped its opposition and is officially taking no position on the bill. The AIDS Legal Council of Chicago, the Families and Children's AIDS Network, and Chicago Women's AIDS Project remain

opposed to mandated newborn testing. The bill passed the full House 110-0 on February 22, and awaits action in the House.

Forced Testing of Suspects Who Expose Law Enforcement Officers to Bodily Fluids / [HB 4396](#)
(Wait, R-Belvidere):

AFC Position: Oppose

Issue: Allows mandated HIV testing of a suspect who exposes a peace officer to his/her blood or other bodily fluids. HB 4396 is unnecessary because existing state law already provides strong protection to law enforcement officers who may be exposed to HIV. It also equates HIV testing with penalties, which risks jeopardizing HIV testing promotion efforts.

Status: House Judiciary II – Criminal Law Committee passed the bill by a vote of 10 to 2 on February 8; the bill is now pending action by the full House.

Tattoo & Body Piercing Registration Act / [HB 4523](#) and [SB 2229](#) (House Sponsor: Bellock, R-Hinsdale; House Co-Sponsors: Coulson, Tryon, Mathais, Froehlich, Pritchard; Senate Sponsor: Maloney, D-Chicago; Senate Co-Sponsors: Haine, Dillard, Demuzio):

AFC Position: Support

Issue: Requires tattoo and body piercing businesses to register with the Illinois Department of Public Health to ensure the health, safety, and welfare of the public.

Status: HB4523 was amended and voted out of the House Registration and Regulation Committee on February 15, by a vote of 16 to 1, with 1 member voting present; the bill is now pending action by the full House. SB 2229 passed the Senate Human Services Committee on February 16 by a vote of 11 to 0; the bill is now pending action by the full Senate.

African American AIDS Response Fund / [HB 4456](#) (Sponsor: Howard, D-Chicago; Co-Sponsors: Graham, Giles, Colvin, Washington, Golar, W. Davis, Yarborough, M. Davis, L. Jones, Collins, Younge, Miller; Senate Sponsor: Lightford, D-Maywood)

AFC Position: Support

Issue: The bill establishes a state-level fund for projects responding to the HIV/AIDS epidemic in the African American community.

Status: The State Government Administration Committee passed the bill on February 1 by a vote of 7 to 1, with 1 member voting present; the bill passed the full House 113-0, with one member voting present.

Age-Appropriate Sex Education Grant Program Act / [SB 2267](#) (Sponsor: Ronen, D-Chicago; Co-Sponsors: Raoul, Hunter, Martinez, Schoenberg, Harmon, DeLeo)

AFC Position: Support

Issue: The bill would establish a fund for comprehensive and medically accurate sex education projects available to school districts and schools across Illinois. AFC is a supporter of the statewide campaign being led by the Illinois Caucus of Adolescent Health and Planned Parenthood/Chicago Area.

Status: The Senate Health & Human Services passed the bill by a vote of 7 to 2 on February 8; and the bill is now pending action in the full Senate.

HOUSING

Safe Homes Act / [HB 4715](#) (Sponsor: Kelly, D-Matteson; Co-Sponsors: Yarbrough, Dugan, Feigenholtz, Osterman, Currie, Jakobsson, Gordon, Patterson, Miller, Beiser, Younge, W. Davis, Turner, Dunkin)

AFC Position: Support

Issue: Provides that a victim of domestic violence or sexual violence has rights to safety within his or her home. Depending upon the circumstances, the landlord must change the locks or allow the victim to change the locks if the landlord does not act. The bill also provides grounds to terminate the lease.

Status: The House Housing and Urban Development Committee passed the bill by a vote of 9 to 6 on Feb. 14; the bill is now pending action by the full House.

Residential Tenant Protection Act / [HB 4758](#) (Sponsor: W. Davis, D-Hazel Crest; Co-Sponsor: Froelich)

AFC Position: Support

Issue: Prohibits landlords from locking tenants out of their apartments instead of following formal eviction procedures. Also prohibits harassment, turning off utilities, removal of appliances, or otherwise making the apartment uninhabitable. Establishes penalties for violations.

Status: The House Housing and Urban Development Committee passed the bill unanimously on February 7; the bill is now pending action by the full House.

State Comprehensive Housing Planning Act / [HB 5268](#) and [SB 2290](#) (House Sponsor: Hamos, D-Evanston; House Co-Sponsors: Yarbrough, Nekritz, Kelly, Ryg, Mendoza, Soto, Osterman, Currie, Chapa LaVia, Bradley; Senate Sponsor: Martinez, D-Chicago; Senate Co-Sponsors: Collins, Meeks):

AFC Position: Support

Issue: Creates the Comprehensive Housing Planning Act. Requires the State of Illinois to prepare and be guided by an annual comprehensive housing plan that is consistent with the affirmative fair housing provisions of the Illinois Human Rights Act and specifically addresses certain under-served populations, including households earning below 50% of the area median income, low-income senior citizens, and low-income persons with disabilities.

Status: The House passed HB 5268 by a vote of 114 to 0 on February 16. The Senate Housing & Community Affairs Committee passed SB 2990 by a vote of 7 to 3 on February 15; the bill is now pending action by the full Senate.

CORRECTIONS

Human Rights of Ex-Offenders / [HB 4188](#) (Sponsor: Rep. Connie Howard, D-Chicago):

AFC Position: Support

Issue: Amends the Illinois Human Rights Act to prohibit discrimination against ex-offenders in housing, employment, and other areas.

Status: HB 4523 was referred to the Judiciary I – Civil Law Committee on January 5, 2006, but was not called for a vote by the deadline.

Criminal Code – Identification Documents / [HB 4520](#) (Sponsor: Yarborough, D-Maywood):

AFC Position: Support

Issue: Requires that, when a prisoner is transferred from a county jail to an IDOC facility, the prisoner's government issued IDs must be also forwarded to IDOC. Currently, they are often destroyed. IDOC must keep those documents and return them when the individual is released.

Status: HB 4520 was introduced on January 11 and referred to the Rules Committee.

OTHER ISSUES

Energy Assistance / [HB 1744](#) (House Sponsor: Colvin, D-Chicago; House Co-Sponsors: Currie; Reitz; Giles, Boland; Yarborough; Moffitt; Howard, Washington, M. Davis, Flowers, Miller, Kelly, Graham; Younge; Dunkin; Golar; Rita, R. Bradley, Berrios, Chavez, Lindner, Schock; Parke, Cultra, Acevedo, Hamos, Pihos, Mendoza, L. Jones; Senate Sponsor: Raoul, D-Chicago; Senate Co-Sponsor: Collins)

AFC Position: Support

Issue: Increases funds available for low-income energy assistance.

Status: The House passed the bill by a vote of 109 to 0 on January 26; the bill is now pending action in the Senate.

DCFS—Grandparent Care / [HB 4526](#) (House Sponsor: Currie, D-Chicago; House Co-Sponsors: L. Jones; Soto, Berrios, Chavez, Feigenholtz, Rita, Bellock, Jakobsson, Yarborough, M. Davis, Fritchey, Black, Osterman; Senate Sponsor: Collins, D-Chicago; Senate Co-Sponsor: Raoul):

AFC Position: Support

Issue: Requires the Department of Children and Family Services to develop and administer a program of information and services for caregivers, particularly older caregivers, of children previously in Department custody, with respect to the future care and custody of those children.

Status: The House passed the bill by a vote of 113 to 0 on January 31; the bill is now pending action in the Senate.

BUDGET REQUESTS:

ADAP: \$3 million increase to ensure uninterrupted assistance for all who need it.

Circuit Breaker: \$1 million appropriation to implement HB 4302.

Prevention: \$1 million increase in state General Revenue funding for distribution through the community planning processes.