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Illinois Officials Promise to Pay for Health Care Services Rendered to Medicaid Beneficiaries Without Delays Caused by the Budget Impasse

Reversing an earlier decision, Illinois state officials have assured a federal judge that the state will make all payments due to health care providers for services rendered to all Medicaid beneficiaries statewide, and that there will be no delays in those payments because of the lack of a state budget.

On July 10, 2015, the Illinois Department of Health Care and Family Services (DHFS) notified health care providers that the agency would discontinue payments to them pending passage of a fiscal year 2016 budget. Although the director encouraged health care providers to continue to provide services to Medicaid beneficiaries, DHFS has not reimbursed providers for services rendered to beneficiaries since July 1, 2015.

Low-income Illinoisans who rely on Medicaid were faced with loss of access to care, as unpaid providers like hospitals and clinics would reduce services or close their doors in ever-increasing numbers. They went to court to enforce the guarantee of access to health care services secured in two earlier lawsuits. The consent decrees in *Memisovski v. Maram and Beeks v. Bradley* require DHFS to ensure that children covered under Medicaid have ready access to preventive care and treatment as needed, and require that DHFS “furnish assistance” to all Medicaid beneficiaries without interruption or delay, despite the lack of a state budget. Plaintiffs are represented by the Shriver Center and AIDS Legal Council of Chicago, with pro bono assistance from the Chicago law firm, Goldberg Kohn.

In a hearing today before federal Judge Joan Lefkow, attorneys for the Rauner Administration, Illinois State Treasurer, and Illinois Comptroller announced that, contrary to the July 10 notice, the state has decided to make all Medicaid payments for all patients and all programs statewide and with no further delays attributable to the budget impasse. Payments that would have been made in July are currently being processed for payment the week of August 10, and August payments will be made during the week of August 24, basically on the normal schedule followed when there is no budget impasse. Based on those promises, Judge Lefkow scheduled the matter to be heard on August 19 to determine if the promises are kept and, if not, to consider whether to order further relief.

“Medicaid beneficiaries deserve to get the health care that they need, despite Illinois officials’ failure to arrive at a state budget,” said John Bouman, President of the Shriver Center. “We are pleased that the state has reversed its earlier decision on reimbursement for Medicaid services, and we fully expect that the state will keep the promises made to the judge today.”

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The Chicago-Medical Legal Partnership for Children is a legal care project of AIDS Legal Council of Chicago, which uses the power of the law to secure dignity, opportunity, and well-being for people facing barriers due to illness and disability. In 2015, the agency is changing its name to Legal Council for Health Justice. www.legalcouncil.org