



September 3, 2015

FOR IMMEDIATE RELEASE

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Illinois Still Jeopardizing Health of Children, People with Disabilities, and Elderly Across the State by Avoiding Court-Ordered Payments for Medicaid-Funded Health Services

State Ordered to Work with Legal Advocates to Ensure Access to Health Care

Today, Judge Joan Lefkow of the United States District Court entered an Order requiring state officials to make all fiscal year 2016 Medicaid payments to providers statewide who serve Illinois Medicaid patients that would have been made by now if there was not a budget impasse. The federal court order directs the State of Illinois to work in good faith with the attorneys for the Medicaid beneficiaries to ensure that—despite a state budget stalemate—low-income Illinoisans have access to life-saving medical services, and that providers are not forced out of business due to lack of timely Medicaid payments. The Order was entered after a court hearing on August 26, 2015 when attorneys from the Shriver Center and Legal Council for Health Justice (formerly AIDS Legal Council of Chicago) returned to federal court to hold the State of Illinois accountable to reimburse medical providers statewide for Medicaid-funded care provided since July 1, 2015. This is the second order issued in less than two months as advocates seek to enforce the guarantee of access to health care services to children that had been originally secured in a landmark lawsuit, *Memisovski v. Maram*, in 2005, with pro bono assistance from the Chicago law firm, Goldberg Kohn, and health care services for all Illinoisans statewide as the result of *Beeks v. Bradley*, a case that requires Illinois to pay for Medicaid pending passage of a fiscal year 2016 budget.

The State had earlier been required to pay medical providers serving Cook County children and had also indicated that all Medicaid providers statewide would be paid. This failure to comply with a federal court order puts millions of vulnerable Illinoisans in harm's way and additionally endangers safety-net providers, which are an essential part of our health delivery system. Indeed, some medical providers in Illinois have been delaying payment of salaries, taking out additional business loans, and facing closure or staff layoffs because of the State's failure to make Medicaid payments that would have been made absent the state budget impasse.

Shriver Center president John Bouman warns, "We are now seeing the very real threat to the vital functions of government caused by the failure to produce a budget. The policy disputes now blocking the budget should be fought out on some other battlefield. Carrying out and paying for the vital functions should be the first priority of governing."

Of the 3.1 million Illinois residents enrolled into Medicaid-funded services statewide, the majority of recipients are children, elderly, disabled, or members of working households. Tom Yates, executive director of Legal Council for Health Justice, notes, "We are in crisis mode now. I expect to see health care providers who provide vitally important services for Medicaid-eligible children, seniors, and persons with disabilities could either stop taking Medicaid

reimbursement or go out of business. Without federal court action to require the State to meet its obligations, these Medicaid recipients and the medical providers who serve them are at risk of irreparable harm.”

The Illinois Department of Health Care and Family Services (DHFS) had originally notified health care providers on July 10th that the agency would discontinue Medicaid payments pending passage of a fiscal year 2016 budget.

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