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Illinois Health Care Expansion Halted Again

AP | Mike Robinson | October 15, 2008 06:07 PM

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A judge on Wednesday renewed an order banning state officials from making payments under Gov. Rod Blagojevich's expanded health care program, and said it's time for the state to explain how it will comply.

"Now it's time in my view to get on with complying with the order," Cook County Circuit Judge James R. Epstein told attorneys.

It was the latest chapter in a long-running dispute between Blagojevich and state lawmakers.

Last year, the legislature twice turned down the governor's plan to expand health care -- first for universal coverage, then to expand income-eligibility requirements for state-subsidized care. But Blagojevich began enrolling families anyway, claiming he had sufficient authority .

That prompted a lawsuit by a lawyer and two business-group representatives. Judge Epstein issued a preliminary injunction in April banning state officials from

spending money on the program. That decision was upheld last month by the Illinois Appellate Court.

On Wednesday, Epstein renewed his order and refused to stay it pending possible appeal to the Illinois Supreme Court, saying a blueprint for compliance was now his top priority.

He said he sympathized with low-income families, some of whom have paid insurance premiums under Blagojevich's expansion and would lose coverage. But he said they "do not have a right to continue to receive coverage under this improperly promulgated program."

Story continues below ↓

Critics of Blagojevich's expansion praised the judge's order, saying there is an urgent need to untangle a situation that has come as a rude jolt to many people.

"People think they have health insurance and they don't," said Gregory Baise, president of the Illinois Manufacturers Association and one of the plaintiffs.

The others are Chicago businessman Ronald Gidwitz and taxpayer Richard P. Caro.

Pharmacists who thought they would get state payments for prescriptions already dispensed are being told they're not covered.

John M. Bouman, president of the Sargent Shriver Center on Poverty Law, which has intervened in the case on behalf of those receiving benefits, criticized the judge's decision, saying it would deprive the needy of health care.

"Now we're going to have to go back and negotiate a way to take people's health care benefits away from them; it's very sad," Bouman said after the hearing.

The governor's office did not immediately return a message from The Associated Press seeking comment Wednesday. The Department of Healthcare and Family Services, which operated the so-called FamilyCare program, has not returned phone messages or responded to e-mails from the AP asking about its operation and how it's being financed.

In 2007, Blagojevich proposed a \$2 billion-a-year universal health insurance program paid for by a combination of premiums and \$7 billion in new business taxes. The Illinois General Assembly immediately rejected the idea.

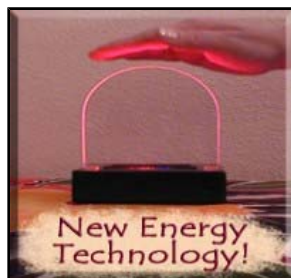
Blagojevich then proposed a \$40 billion expansion of the FamilyCare program that would have increased the income maximum for participation from 185 percent of the federal poverty level, or about \$38,000 for a family of four, to 400 percent, or up to \$83,000 a year.

The legislature also turned down that idea. And despite rejection by the state's Joint Committee on Administrative Rules, the Blagojevich administration then began enrolling benefit recipients anyway under an emergency plan.

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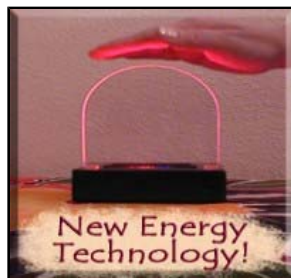
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