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Order to stop FamilyCare expansion postponed



By DEANNA BELLANDI THE ASSOCIATED PRESS Posted Nov 12, 2008 @ 11:18 PM

CHICAGO — Expansion of a state-subsidized health-care program got a reprieve Wednesday when the Illinois Supreme Court temporarily put on hold a judge's order to shut it down...

It was not immediately clear when the state would resume paying health-care providers for services under the FamilyCare program, something it had stopped doing — exacerbating already delayed reimbursements.

The latest court action creates an "immoral holding pattern" for participants and providers who were uncertain about the program's future, a health-care advocacy group said.

It's a situation that comes at the worst possible time as the economy withers, said Margaret Stapleton, an attorney with the Sargent Shriver National Center on Poverty Law, which intervened in the case on behalf of four FamilyCare participants.

"We're going into a recession. People desperately need to have health care available to them," Stapleton said.

The FamilyCare program has been tied up in court for months after Gov. Rod Blagojevich expanded it to include people with higher incomes, prompting two prominent businessmen and a lawyer to sue.

In April, Cook County Circuit Judge James Epstein issued a temporary restraining order in a lawsuit over the expansion, but court documents indicate as many as 25,000 people continued to receive taxpayer-subsidized health care after that.

On Oct. 15, the day Epstein ordered the administration to halt the expansion, court documents indicate state reimbursement to doctors treating more than 500,000 FamilyCare patients stopped.

"They don't have to justify why they haven't complied with the order, they don't really have to do anything," said Thomas Hecht, a plaintiffs attorney who hopes to ultimately prevail in the case.

The stay is in place until the Supreme Court either agrees to hear the case or doesn't, Hecht said.

Danny Chun, spokesman for the Illinois Hospital Association, said the group is pleased provider payments should be restarted, calling it "the appropriate course of action to take," and hopes it can begin as soon as possible.

While the state would pay providers because of Wednesday's Illinois Supreme Court ruling, the timeline line for that was unclear, said Annie Thompson, spokeswoman for Blagojevich's Department of Healthcare and Family Services.

But late payments are nothing new for Illinois health-care providers who often have to wait for reimbursements from the state.

Many IHA members hadn't received a reimbursement check from the state since August, and those payments were for services provided six months before that, Chun said. Some members have gone a year without payment, he said.

Event Calendar

Calendar table with columns for days of the week and dates from Nov 17 to Nov 23.

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The backlog of unpaid Medicaid bills is about \$1.6 billion, said Carol Knowles, spokeswoman for Comptroller Dan Hynes. That includes an estimated \$1 billion still at the Department of Healthcare and Family Services in various stages of processing that haven't been sent to the comptroller's office yet.

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So let me get this straight... three guys, who probably can afford their own health coverage, sued to prevent health coverage to folks who probably make a quarter of what they make?

**IGett**

5 days ago

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No, they sued to stop other people who can afford insurance from getting it.

**Davos**

5 days ago

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No, they sued to stop the executive branch from instituting illegal programs that were not approved for by the legislative branch. I guess some people think democracy and the rule of law should apply on certain occasions. Maybe you should have voted yes for a con con to give the executive branch un-limited powers.

**Bookworm**

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Davos is right. They sued to stop the governor from expanding an existing healthcare program without legislative approval and with no means of paying for it. The only reason the governor/HFS stopped payment on the entire program was to create a crisis in hopes of forcing the General Assembly and the courts to give in. The health coverage the plaintiffs are trying to 'prevent' is nearly worthless anyway because there's no money to back it up and few providers accept it.

**fourfootedpals**

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Blago didn't need the Con-Con to think he's got unlimited powers. That's why he's in this current mess.

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