

# Court, Quinn left to clear up Blagojevich's healthcare mess

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SPRINGFIELD -- Rod Blagojevich's legacy lives on in thousands of low-income parents who are wondering if they still have state-subsidized health care.

Now these parents are waiting for Gov. Pat Quinn to clear the mess his predecessor left behind.

The controversy is rooted in a program started by then-Gov. George Ryan in 2001 called FamilyCare to provide health insurance to low-income parents or primary caretakers of children.

Under FamilyCare, parents would be eligible if they earned less than 185 percent of the federal poverty level, or \$38,200 for a family of four.

In Nov. 2007, Blagojevich attempted to raise that eligibility limit to 400 percent of the federal poverty level, or \$82,600.

Blagojevich claimed he was trying to expand public health care to parents who earned more, but who still could not afford private insurance; lawmakers countered the state couldn't afford the expansion.

A legislative oversight committee twice rejected Blagojevich's proposal, but Blagojevich expanded the program anyway.

A Cook County judge ruled Blagojevich's action illegal and ordered the program dismantled. An appellate court upheld that decision.

The Illinois Supreme Court delayed dismantling FamilyCare and will rule on its future, most likely this May, according spokesman Joe Tybor.

Quinn will weigh in on FamilyCare before then. He is considering a bill passed by lawmakers that would reinstate the original 185 percent of the federal poverty level limit.

Quinn said he had yet to look into the specifics of the bill.

"I'd be shocked if he didn't sign it," said Jim Duffett, executive director for Campaign for Better Health, an Illinois-based advocacy group. "He's been a champion for health-care reform since Day 1."

A new law would help clarify the income limit for eligibility but may create another legal issue, says John Bouman, president of the Sargent Shriver Center on Poverty Law in Chicago. The Supreme Court may need to consider what happens to individuals who enrolled in Blagojevich's expanded program.

According to legal briefs submitted on behalf of Blagojevich, 4,000 families enrolled who earned above 185 percent of the federal poverty level.

If the Court strikes down Blagojevich's expansion, these individuals could be left stranded without health insurance.

"I understand if some in the provider community would not take them even now because of the limbo of not being reimbursed," Duffett said.

The FamilyCare expansion became one of Blagojevich's most controversial actions. Some lawmakers said Blagojevich overstepped his power by expanding the program without approval of the oversight committee. His action was one of the 13 counts in an impeachment abuse-of-power charge that led to Blagojevich's removal from office.

State Sen. Dan Rutherford, R-Chenoa, served on the oversight committee and said Blagojevich did not obey the proper procedures when he tried to expand FamilyCare.

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"Our constitution has a set of laws and a process to go through that if one branch of government doesn't agree with another branch," he said. "... And what Blagojevich did was he went ahead and did the FamilyCare expansion regardless of the checks-and-balances."

Duffett said Blagojevich's actions should not overshadow the goal of expanding health care in Illinois.

He says that with federal stimulus money and greater matching funds for Medicaid, the state can begin to pay off its bills to medical providers and gradually broaden eligibility.

"In the coming year, we'll want to expand it to say 185 to 250 percent (of the federal poverty level); then year two, 250 to 300 percent; year 3, 300 to 400 percent," he said. "That would probably be a range and approach that we would want to take."

State Sen. Mike Jacobs, D-East Moline, said people should not rely too heavily on state-funded health care.

"Government's job is to protect the most vulnerable among us - seniors who can't help themselves and also children who are in a desperate and dire situation," he said. "The thought that government is going to somehow rescue America and that somehow government is going to rescue the healthcare system, I believe, is a fallacy."

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