

PUBLIC HEALTH PROGRAM
BENEFICIARIES
EMPLOYER DISCLOSURE LAW

OCTOBER 2006



Barry S. Maram, Director

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PUBLIC HEALTH PROGRAM BENEFICIARY EMPLOYER DISCLOSURE LAW

INTRODUCTION

Article 5 of Public Act 094-0242 (Appendix A), signed into law on July 18, 2005, requires the Department of Healthcare and Family Services (HFS), in collaboration with the departments of Human Services (DHS) and Financial and Professional Regulation (FPR), to prepare an annual public health access program beneficiary employer report for submission to the General Assembly. The first report is to be submitted by October 1, 2006.

The primary purpose of this law is to provide public access to information about the cost to the state and hospitals of providing health care to the employees of large employers who lack employer-sponsored health insurance.

The law allows for an applicant for health benefits under a public health program or a person requesting uncompensated care in a hospital to identify the employer or employers of the proposed beneficiary of the healthcare benefits. If the proposed public health beneficiary is not employed, the applicant may identify the employer or employers of any adult who is responsible for providing all or some of the proposed beneficiary's support. Thus the provision of such information by the proposed beneficiary is voluntary. Provision of services does not require that such information be furnished. This provision of the law ensures that people who need health care are not denied access to state healthcare benefits for failure to disclose information they may not even have. To do otherwise would, in essence, serve as a double penalty to uninsured workers and their families.

Public health program is defined as the "medical assistance program under Article V of the Illinois Public Aid Code" or "the children's health insurance program under the Children's Health Insurance Program Act" (CHIPA). Article V includes coverage under the Medicaid program also known as Title XIX of the Social Security Act. The Children's Health Insurance Program includes coverage funded in part under the federal State Children's Health Insurance Program also known as Title XXI of the Social Security Act.

The first part of P.A. 094-0242 required information gathering from hospitals regarding persons receiving uncompensated or charity care. Each hospital is required to report whether a person receiving such uncompensated or charity care is employed and, if the person is employed, the identity of the employer. Such information is to be annually submitted to the Department as a summary report of the employment status information obtained from persons receiving uncompensated or charity care, including available information regarding the cost of the care provided and the number of persons employed by each identified employer.

The second part of the act requires the Department of Healthcare and Family Services in collaboration with the Departments of Human Services and Financial and Professional Regulation to annually prepare a public health access beneficiary employer report for the General Assembly. The report is limited to information on employers who have more than 100 employees and 25 or more public health access program beneficiaries i.e., more than 25 employees who are enrolled under the Public Aid Code or CHIPA. Within the constraints of federal law, the report shall provide information on such employers including the name and address of the employer, the number of public health access program

beneficiaries, the number of persons requesting uncompensated care or charity care from the hospitals, the number of public health access program beneficiaries who are spouses or dependents of employees of the employer, information on whether the employer offers health insurance benefits to employees and their dependents, information on whether the employer receives health insurance benefits through the company, if the employer does offer health insurance benefits information on the level of premium subsidies for such health insurance, information on the cost to the State of Illinois of providing public health access program benefits for the employer's employees and enrolled dependents.

The requirements for gathering and reporting this information will expire January 1, 2009.

METHODOLOGY

Hospital Data

A letter (Appendix B1) was sent to notify over 200 Illinois hospitals of the statutory reporting requirements of P.A. 094-0242. HFS staff worked with representatives of the Illinois Hospital Association (IHA) and the Metropolitan Chicago Healthcare Council (MCHC) to develop the process for collecting the required data. Over 90 per cent of hospitals reported information on the uncompensated or charity care, pursuant to federal Medicare cost reporting, administered to a person and their employment status per Section 5-15(a), (b3). The identity of the patient's employer, or if applicable, the responsible adult's employer was not provided. The following hospital information in the prescribed format (Appendix B2) was provided to HFS.

Patient discharge or service date between Aug. 1 and Mar. 31, 2006.

De-identified uninsured patients with no insurance obtaining inpatient and outpatient hospital services.

An indicator of whether or not the patient is the financially responsible party;

An indicator of whether or not the financially responsible party is employed;

The name of the employer for the patient or the responsible party; and

The total uncompensated or charity costs pursuant to federal Medicare cost reporting for the encounter.

Data provided from the hospitals' accounts receivable systems was downloaded into a HFS database for sorting. The information was aggregated into 14 categories by type of industry and then used to identify the companies with the highest employee usage of uncompensated and charity care. (Appendix C1 and C2)

Agency Data

Section 5-15(b) specified that the report include the following information on each employer:

The name and address of the employers with more than 100 employees and a minimum of 25 public health access program beneficiaries (Sec. 5-15b1)

The number of public health access program beneficiaries (Sec. 5-15b2).

The number of public health access program beneficiaries who are spouses or dependents of employees of the employer (Sec. 5-15b4, Sec. 5-15c).

The cost to the State of Illinois of providing public health access program benefits for the employer's employees and enrolled dependents (Sec. 5-15b8).

Information on whether the employer offers health insurance benefits to employees and their dependents (Sec. 5-15b5).

The level of premium subsidies for health insurance offered by employer (Sec. 5-15b7).

Information on whether the employer receives health insurance benefits through the company (Sec. 5-15b6).

The employees' full-time or part-time status (Sec. 5-15c).

The identity of employers by type of industry (Sec. 5-15c).

The identity of employers by public, private, profit or non-profit status (Sec. 5-15c).

The information on public health access program beneficiaries on the DHS client database was compared with the HFS recipient database to determine the medical costs from August 2005 through March 2006. Excluded from the comparison were enrollees who receive the following benefits:

Food stamps.

Department of Children and Family Services IV-E. Recipients of IV-E adoption or foster care assistance are abused or neglected children and do not represent the clientele targeted by the Public Health Beneficiary Disclosure law.

DHS only services. These recipients do not receive healthcare benefits. DHS services include subsidized childcare, community mental health, and alcohol and substance abuse treatment.

Children's Mental Health. Children eligible for Screening, Assessment, and Supportive Services receive limited community based services designed to prevent unnecessary psychiatric hospitalizations.

Department of Corrections inmates.

Blind, disabled and aged (60+) cash/medical and medical only.

General Assistance. Recipients of state General Assistance live in Chicago and receive Transitional (temporary disability or Family and Children Assistance). Medical coverage is very limited for adults.

Data from HFS and DHS systems was matched with DES employer data to illustrate the cost by industry. (Appendix D)

BARRIERS ENCOUNTERED

Hospitals use a variety of financial software that limited their ability to use the format as requested and to report all the information. Some hospitals had to manually comb patient financial files for the information. The lack of a uniform definition of uncompensated care was problematic in collecting financial information and there may be some variance based on the hospital's interpretation. Some hospitals' systems have patient's employer names going back a number of years but have no way to match the employer with the responsible party information. Hospitals operate under no standard protocols for entering data in the employer text field. As there are no statewide standards for the names of employers, patients and hospitals used numerous variations on the spellings of what were in some instances obviously the same employers.

The law requires the hospitals to request but not to require employer information. Of the total responses reported from hospital systems, over 90 percent were left blank or were listed as unemployed, none, unknown, not available, homemaker, child, student, retired, or disabled. Data gathering about employment did not include whether a person worked part

time or full time, nor did it differentiate between people who had lost their job versus person who was never employed. In some instances, people identifying a specific employer may in fact be contractual workers whose compensation does not include health insurance benefits. State and local government entities and universities use contractual workers on a regular basis. In addition, some categories of workers give labor unions as their employers, because their union may send them to work for various employers whose company names they may not know.

Federal requirements prohibiting the public identification of employers, coupled with the lack of information on existing DHS and HFS databases, drastically impeded HFS's ability to gather the requested information for the first year of this report.

The HFS' Division of Medical Programs staff considered the available state agency databases and what analyses were feasible given time and resource constraints. The DHS client database, where information is entered by caseworkers and used to determine eligibility, was not designed to collect and retain the employer information required for this report, nor is there a protocol for entering such information. Employer information is not required to determine eligibility for Medicaid and the State Children's Health Insurance Program (SCHIP). In fact, it is likely that such a requirement would not be allowed under federal law.

The Division of Insurance within the Department of Financial and Professional Regulation regulates the insurance industry's market behavior and financial solvency but has no information on insurance offered by employers. The Division of Financial Institutions does annually receive a list of individuals or entities that report to DES as paying wages to workers, but the list is deemed confidential and may not be disclosed to any other person according to Section 1900 (P) of the Unemployment Insurance Act.

Publishing employer specific information derived from the Unemployment Insurance wage records would be considered a criminal offense, with sanctions including, but not limited to loss of Federal funding and/or permanent debarment from state employment. (Appendix E)

FUTURE REPORTS

Of the 200 hospitals submitting data, many expressed interest in working with HFS to ensure better data gathering techniques and more common terminology. HFS will work with the IHA and MCHC memberships to improve the data reporting for 2007.

More complete Agency data will be available for the October 2007 report. DHS, HFS and Central Management Services will revise the various applications to request employer information. Client database changes are also necessary to collect required information. This will mean that data for applicants at future time points will include this information. The provision of this information by the applicant will remain voluntary as required by Federal law. Therefore, the agency will receive on a voluntary basis information regarding beneficiaries determined eligible in the future.

Section 5-15 (d) of P.A. 094-0242 states that the report is subject to the privacy standard in the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and Title XIX of the federal Social Security Act. It is the opinion of the HFS Privacy Officer that Federal regulation 45 CFR 160.203(d), promulgated under HIPAA, allows for the release of the

employer information in a public document as a function of program monitoring and evaluation and can therefore be included in the 2007 report.

The following lists required information that was unavailable for inclusion in the 2006 report:

Information on whether the employer offers health insurance benefits (Sec. 5-15b7).
The level of premium subsidies for health insurance offered by employer (Sec. 5-15b7).
Information on whether the employer offers health insurance benefits to employees and their dependents (Sec. 5-15b5).
Information on whether the employer receives health insurance benefits through the company (Sec. 5-15b6).

HFS will commission a survey to gather this information for the 2007 report.

Public Act 094-0242

SB0157 Enrolled LRB094 07276 DRJ 37433 b

AN ACT concerning hospitals.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

ARTICLE 5.

Section 5-1. Short title. This Article may be cited as the Public Health Program Beneficiary Employer Disclosure Law. References in this Article to "this Law" mean this Article.

Section 5-5. Definition. In this Law, "public health program" means either of the following:

(1) The medical assistance program under Article V of the Illinois Public Aid Code.

(2) The children's health insurance program under the Children's Health Insurance Program Act.

Section 5-10. Disclosure of employer required. An applicant for health care benefits under a public health program, or a person requesting uncompensated care in a hospital, may identify the employer or employers of the proposed beneficiary of the health care benefits. If the proposed public health program beneficiary is not employed, the applicant may identify the employer or employers of any adult who is responsible for providing all or some of the proposed beneficiary's support.

Section 5-15. Reporting of employer-provided health insurance information.

(a) Hospitals required to report information on the uncompensated care they provide pursuant to federal Medicare cost reporting shall determine, from information that may be provided by a person receiving uncompensated or charity care, whether that person is employed, and if the person is employed the identity of the employer. The hospital shall annually submit to the Department a summary report of the employment status information obtained from persons receiving uncompensated or charity care, including available information regarding the cost of the care provided and the number of persons employed by each identified employer.

(b) Notwithstanding any other law to the contrary, the Department of Public Aid or its successor agency, in collaboration with the Department of Human Services and the Department of Financial and Professional Regulation, shall annually prepare a public health access program beneficiary employer report to be submitted to the General Assembly. For the purposes of this Section, a "public health access program beneficiary" means a person who receives medical assistance under Title XIX or XXI of the federal Social Security Act.

Subject to federal approval, the report shall provide the following information for each employer who has more than 100 employees and 25 or more public health access program beneficiaries:

(1) The name and address of the qualified employer.

(2) The number of public health access program beneficiaries.

(3) The number of persons requesting uncompensated or charity care from the hospitals required to report under this Section and the cost of that care.

(4) The number of public health access program

beneficiaries who are spouses or dependents of employees of the employer.

(5) Information on whether the employer offers health insurance benefits to employees and their dependents.

(6) Information on whether the employer receives health insurance benefits through the company.

(7) Whether an employer offers health insurance benefits, and, if so, information on the level of premium subsidies for such health insurance.

(8) The cost to the State of Illinois of providing public health access program benefits for the employer's employees and enrolled dependents.

(c) The report shall include a description of the methodology used in the collection of the data and an analysis regarding the effect of employment and health coverage on the assistance programs provided by the State. The Department shall include available data regarding: the numbers of employees and dependents of employees; the identity of employers by type of industry and by public, private, profit, or non-profit status; the employees' full-time or part-time status; and other variables that the Department determines essential.

(d) The report shall not include the names of any individual public health access program beneficiary and shall be subject to privacy standards both in the Health Insurance Portability and Accountability Act of 1996 and in Title XIX of the federal Social Security Act.

(e) The first report shall be submitted on or before October 1, 2006, and subsequent reports shall be submitted on or before that date each year thereafter.

Section 5-90. Repeal. This Law is repealed on January 1, 2009.



Rod R. Blagojevich, Governor
Barry S. Maram, Director

201 South Grand Avenue East
Springfield, Illinois 62763-0002

Telephone: (217) 782-2570
TTY: (800) 526-5812

Dear :

The Public Health Program Beneficiary Employer Disclosure Law (P.A. 94-242), passed as part of the new Hospital Assessment Program (Article 5 of Senate Bill 157), seeks to identify employers whose employees do not have health insurance. This law requires hospitals to report information on uncompensated care provided, pursuant to federal Medicare cost reporting and to identify the employer or employers of the beneficiary of this care. Each hospital must annually submit a summary report to the Department of Healthcare and Family Services (HFS) through 2008.

The following information needs to be submitted to HFS by July 31, 2006:

- A listing of de-identified uninsured patients with dates of discharge or date of service between August 1, 2005 and March 31, 2006. Develop and use an alpha or numeric identifier for each patient obtaining in-patient and out-patient services at the hospital that had NO third-party health insurance coverage.
- The discharge or service date for that patient.
- An indicator whether or not the patient is the responsible party.
- An indicator whether or not the responsible party is employed.
- The name of the employer for the patient or the responsible party. If unknown, insert "not available".
- Total charges for the encounter.

The report format is enclosed for your ease and consistency in creating this summary. If you would like this format via email, please contact Sandra.McGuire@Illinois.gov.

The first report should cover discharges or dates of services occurring on or after August 1, 2005 through March 31, 2006. The reporting period for the next year's report extends from April 1, 2006 to March 31, 2007. Please ensure that patients retroactively enrolled in Medicaid are not included in this report.

The deadline for HFS to receive this information is July 31, 2006. Please send an email with an attached EXCEL file containing the summary information to Sandra.McGuire@Illinois.gov. CSV formats may also be utilized. Any questions regarding this report can be directed to Sandra McGuire at 217-558-1626

Thank you for your assistance in fulfilling the requirements of this statute and for your ongoing commitment to providing health care to Illinois residents.

Sincerely,

Anne Marie Murphy
Medicaid Director

AMM
Enclosure (1)

Public Health Program Beneficiary Employer Disclosure Law

Instructions:

The file is to be provided in .CSV format, including one header record followed by all detail records
 All Dates to be provided in MM/DD/YYYY format
 Total Charges Format to be provided as digits only with a single decimal point and 2 digits after the decimal
 All Other fields to be provided in Text Format

Do NOT include patients who have ANY third-party health insurance coverage
 Do NOT include patients retroactively enrolled in Medicaid
 Do NOT include patient names

Header Record - One per file

1. Use State Provider Identification number.
2. Provide Hospital/System Name.
3. Provide Hospital Address
4. Provide Reporting Period Start Date
5. Provide Reporting Period End Date
6. Provide Hospital Contact Person
7. Provide Hospital Contact Person Phone Number

Detail Records - Multiple Per File

1. Develop and use an alpha or numeric identifier for each patient obtaining hospital services (include both inpatient and outpatient).
2. Report the patient's discharge date (inpatient) or the service date (outpatient).
3. Answer yes or no if the patient is the responsible party for payment.
4. Report the name, if known, of the patient's employer. If multiple employers, list each by creating a separate detail record for each employer.
 Show the encounter dollar amount only on first record (See example for 122334455 below). If employer unknown, insert "not available".
 If no employer, insert "none"
5. If the responsible party is not the patient, answer yes or no if the responsible party is employed.
6. Report the name, if known, of the responsible party's employer. If multiple employers, list each by creating a separate detail record for each employer.
 Show the encounter dollar amount only on first record (See example for 122334455 below). If employer unknown, insert "not available".
 If no employer, insert "none"
7. Report total charges for the encounter

Formats

Header Record

Hospital Provider ID	Hospital/System Name	Address	Reporting Period Start	Reporting Period End	Hospital Contact	Contact Phone
EXAMPLE: 112233445566	ABC Medical Center	333 Oak St,	08/01/2005	03/31/06	Jane Smith	217-555-3455

Detail Records

<u>Patient ID</u>	<u>Patient Discharge or Service Date</u>	<u>Is The Patient The Responsible Party?</u>	<u>Patient's Employer Name</u>	<u>Is The Responsible Party Employed?</u>	<u>Responsible Party's Employer Name</u>	<u>Total Charges for Encounter</u>
EXAMPLES: ABC12345	03/10/2006	Yes	Joe's Café	Yes	Joe's Café	2,000
AAA34563	12/15/2005	No	None	Yes	Jiffy Diner	3,000
478245679	09/11/2005	Yes	Not Available	Yes	Not Available	4,000
29009090901A	08/15/2005	No	None	No	None	3,000
999023129BV1	02/15/2006	No	ABC Company Inc	Yes	Jack's Trucking	1,800
23567AQ	02/21/2006	Yes	None	No	None	1,399
122334455	09/22/2005	Yes	Widgets Inc.	Yes	Widgets Inc	3,345
122334455	09/22/2005	Yes	Bob's Booksellers	Yes	Bob's Booksellers	0
JKL194566	02/21/2006	Yes	None	No	None	464

**UNCOMPENSATED AND/OR CHARITY CARE
AND RESPONSIBLE PARTIES BY INDUSTRY
AS REPORTED BY ILLINOIS HOSPITALS
AUGUST 2005 THROUGH MARCH 2006**

INDUSTRY	UNCOMPENSATED AND/OR CHARITY CARE	NUMBER OF RESPONSIBLE PARTIES
UNEMPLOYED/NOT EMPLOYED Some responses were left blank or said none, unknown, not available, homemaker, child, student, retired or disabled making it unclear whether the responsible party was employed.	\$854,663,295.67	415,108
SELF EMPLOYED	\$28,879,942.40	9,696
MANUFACTURING	\$2,374,841.80	1,401
RETAIL SALES Supermarkets, direct sales and stores (automotive, furniture, electronics, hardware, building supplies, convenience, department, discount, general merchandise, book, and sporting goods)	\$11,880,406.82	5,799
TRANSPORTATION Air, bus (school/passenger), ground freight, cab	\$1,288,318.95	644
INFORMATION Newspapers, telecommunications	\$931,364.47	472
FINANCE, INSURANCE, REAL ESTATE AND RENTAL LEASING Banking, savings, real estate, insurance (health, casualty, life)	\$1,689,536.32	665
PROFESSIONAL, SCIENTIFIC, ADMINISTRATION AND WASTE MANAGEMENT Accounting, temporary staffing, security, maintenance, janitorial	\$4,198,512.20	1,861
EDUCATION Elementary, secondary and higher education	\$1,222,673.76	762
HEALTH AND SOCIAL SERVICES Medical, nursing and home health care, day	\$2,782,631.54	1,779
ENTERTAINMENT AND RECREATION Gambling and bowling alleys	\$215,848.68	100
ACCOMODATIONS AND FOOD SERVICES Hotels, motels, restaurants, bars and caterers	\$12,127,126.98	6,533
CONSUMER SERVICES AND REPAIR Salons, laundries, religious/social advocacy organizations, civic/social government organizations, labor unions, automotive service/repair.	\$6,234,973.72	3,887
OTHER Agriculture, mining, construction, warehouse/storage, couriers, local messengers/deliveries, other company names unable to be categorized.	\$2,859,384.15	1,808
TOTAL	\$931,348,857.46	450,515

**TOP 3 COMPANIES BY INDUSTRY
UNCOMPENSATED AND/OR CHARITY CARE
AND RESPONSIBLE PARTIES BY INDUSTRY
AS REPORTED BY ILLINOIS HOSPITALS
AUGUST 2005 THROUGH 2006**

INDUSTRY	UNCOMPENSATED AND/OR CHARITY CARE	NUMBER OF RESPONSIBLE PARTIES
MANUFACTURING		
CATERPILLAR INC	\$313,196.96	182
PLASTIPAK PACKAGING	\$253,535.54	149
RETAIL SALES		
WALMART	\$2,496,787.99	1132
TARGET DEPT STORE	\$617,614.13	305
JEWEL FOOD STORES	\$613,386.13	291
TRANSPORTATION		
LAIDLAW TRANSIT CO	\$264,343.60	168
CHICAGO TRANSIT AUTHORITY	\$184,481.20	78
INFORMATION		
AT&T	\$169,327.18	92
CINGULAR WIRELESS	\$79,759.32	43
FINANCE, INSURANCE, REAL ESTATE AND RENTAL LEASING		
REMAX	\$296,581.30	114
COLDWELL BANKER	\$250,188.11	52
PROFESSIONAL, SCIENTIFIC, ADMINISTRATION AND WASTE MANAGEMENT		
MANPOWER	\$611,249.09	441
KELLY SERVICES	\$486,154.55	112
SPHERION	\$431,722.11	59
EDUCATION		
CHICAGO PUBLIC SCHOOL SYSTEM	\$311,339.56	192
UNIVERSITY OF ILLINOIS	\$222,693.00	133
UNIVERSITY OF CHICAGO	\$192,147.74	60
HEALTH AND SOCIAL SERVICES		
ADDUS HEALTHCARE	\$461,153.95	216
COMMUNITY CARE	\$276,600.07	93
MEMORIAL MEDICAL CENTER	\$232,497.76	34
ENTERTAINMENT AND RECREATION		
HARRAH'S CASINO	\$145,220.67	72
LINCOLN LANES BOWLING ALLEY	\$70,628.01	28
The minimum employee count to be included in this table is 25. Not all businesses in this category met this criteria.		
ACCOMODATIONS AND FOOD SERVICES		
MCDONALDS	\$2,416,951.37	1248
BURGER KING	\$755,727.82	403
CONSUMER SERVICES AND REPAIR		
STATE OF ILLINOIS *	\$1,419,061.99	796
LABOR UNION	\$1,304,294.50	571
CITY OF CHICAGO	\$509,470.64	208

* For State of Illinois employees, under the Group Insurance Act, all full time employees and part time employees (50% - 99%), are eligible to receive insurance benefits paid for, at least in part, by the State. Employees are eligible for coverage on the date of hire and have 10 days to either accept the coverage or opt-out/waive coverage. FT employees must affirmatively opt-out and must provide proof of other coverage to do so. Part-time employees can waive coverage without proof of other coverage. If, after 10 days, we have not heard from the employee, the employee is automatically covered under the State's self-insured indemnity plan. Employees who work <50% of a regular schedule in a year are not eligible for coverage.

The employee may opt to cover himself or herself and a spouse, domestic partner (varies depending on the agency in which the employee works) any dependents under the age of 19 (22 if a full-time student), handicapped dependents and a limited other category (related to grandfathered dependents and dependents who have received organ transplants). Documentation is required for dependent coverage and must be provided within 15 days of the members enrollment.

If the documentation is not provided, the coverage defaults to member-only. Enrollment in the health plan provides health, vision and pharmaceutical benefits. Additionally, employees may opt to enroll in dental insurance, optional life insurance, flexible spending plans and the commuter savings program.

Appendix D

NUMBER OF PUBLIC HEALTH ACCESS PROGRAM BENEFICIARIES
FUNDED BY DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
MEDICAL PROGRAMS INCLUDING MEDICAID AND SCHIP
EXPENDITURES BY INDUSTRY GROUPING
AUGUST 2005 THROUGH MARCH 2006

EXPENDITURES	TYPE OF INDUSTRY	NUMBER OF PUBLIC HEALTH ACCESS PROGRAM BENEFICIARIES	NUMBER OF EMPLOYERS
\$5,537,394.04	MANUFACTURING	10,637	181
\$1,972,354.90	WHOLESALE	3,539	69
	RETAIL SALES		
\$51,894,868.38	Supermarkets, direct sales and stores (automotive, furniture, electronics, hardware, building supplies, convenience, department, discount, general merchandise, book, and sporting goods)	72,278	350
\$5,037,438.27	TRANSPORTATION Air, bus (school/passenger), ground freight	6,106	80
\$2,453,267.65	INFORMATION Newspapers, telecommunications	3,476	38
\$5,301,233.49	FINANCE, INSURANCE, REAL ESTATE AND AND RENTAL LEASING Banking, saving, real estate, insurance (life, health, casualty)	8,835	111
\$59,418,777.76	PROFESSIONAL, SCIENTIFIC, ADMINISTRATION AND WASTE MANAGEMENT Accounting, consulting, media, advertising, marketing, photography, veterinary, employment and temp agencies, collection agencies, investigation, security, janitorial	94,431	623
\$17,072,877.63	EDUCATION Elementary, secondary, higher education	14,710	168
\$121,730,043.33	HEALTH AND SOCIAL SERVICES Medical, home health care, nursing care, day care, residential facilities, voc rehabilitation	63,127	804
\$2,762,851.99	ENTERTAINMENT AND RECREATION Amusement parks, gambling, golf, fitness, bowling	4,241	57
\$42,588,743.51	ACCOMMODATION AND FOOD SERVICES Hotels, motels, restaurants, bars, caterers	56,962	586
\$15,493,589.38	CONSUMER SERVICES AND REPAIR Salons, laundries, religious/social advocacy organizations, civic/social/voluntary health organizations, labor unions, automotive service/repair, car washes, parking lots/garages	17,268	128
\$4,450,747.72	OTHER Agriculture, mining, construction, warehouse/storage, couriers, local messenger/deliveries, managing offices, other industries that were easily identifiable to comply with P.A. 90-425 (820 ILCS 405/1900-from Chap. 48, par. 640) requirements	7,896	75
\$335,714,188.05	TOTAL	363,506	3,270

DISCLAIMER: This report provides a count of employers who reported paying wages to 100 or more individuals from July 2005 through March 2006. At least 25 of these individuals were identified by HFS as being public health access program beneficiaries during a portion of that period. IDES is not claiming that each of these individuals was receiving the benefits of a public health access program at the same time he or she was employed by the employer or employers who reported paying wages to him or her for that period.

EMPLOYMENT (820 ILCS 405/) Unemployment Insurance Act.

(820 ILCS 405/1900)(from Ch. 48, par. 640)
Sec. 1900. Disclosure of information.

A. Except as provided in this Section, information obtained from any individual or employing unit during the administration of this Act shall:

1. be confidential,
2. not be published or open to public inspection,
3. not be used in any court in any pending action or proceeding,
4. not be admissible in evidence in any action or proceeding other than one arising out of this Act.

B. No finding, determination, decision, ruling or order (including any finding of fact, statement or conclusion made therein) issued pursuant to this Act shall be admissible or used in evidence in any action other than one arising out of this Act, nor shall it be binding or conclusive except as provided in this Act, nor shall it constitute res judicata, regardless of whether the actions were between the same or related parties or involved the same facts.

C. Any officer or employee of this State, any officer or employee of any entity authorized to obtain information pursuant to this Section, and any agent of this State or of such entity who, except with authority of the Director under this Section, shall disclose information shall be guilty of a Class B misdemeanor and shall be disqualified from holding any appointment or employment by the State.

D. An individual or his duly authorized agent may be supplied with information from records only to the extent necessary for the proper presentation of his claim for benefits or with his existing or prospective rights to benefits. Discretion to disclose this information belongs solely to the Director and is not subject to a release or waiver by the individual. Notwithstanding any other provision to the contrary, an individual or his or her duly authorized agent may be supplied with a statement of the amount of benefits paid to the individual during the 18 months preceding the date of his or her request.

E. An employing unit may be furnished with information, only if deemed by the Director as necessary to enable it to fully discharge its obligations or safeguard its rights under the Act. Discretion to disclose this information belongs solely to the Director and is not subject to a release or waiver by the employing unit.

F. The Director may furnish any information that he may deem proper to any public officer or public agency of this or any other State or of the federal government dealing with:

1. the administration of relief,
2. public assistance,
3. unemployment compensation,
4. a system of public employment offices,
5. wages and hours of employment, or
6. a public works program.

The Director may make available to the Illinois Workers' Compensation Commission information regarding employers for the purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases Act.

G. The Director may disclose information submitted by the State or any of its political subdivisions, municipal corporations, instrumentalities, or school or community college districts, except for information which specifically identifies an individual claimant.

H. The Director shall disclose only that information required to be disclosed under Section 303 of the Social Security Act, as amended, including:

1. any information required to be given the United States Department of Labor under Section 303(a)(6); and
2. the making available upon request to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's right to further compensation under such law as required by Section 303(a)(7); and

3. records to make available to the Railroad Retirement Board as required by Section 303(1); and
4. information that will assure reasonable cooperation with every agency of the United States charged with the administration of any unemployment compensation law as required by Section 303(2); and
5. information upon request and on a reimbursable basis to the United States Department of Agriculture and to any State food stamp agency concerning any information required to be furnished by Section 303(d); and
6. any wage information upon request and on a reimbursable basis to any State or local child support enforcement agency required by Section 303(e); and
7. any information required under the income eligibility and verification system as required by Section 303(f); and
8. information that might be useful in locating an absent parent or that parent's employer, establishing paternity or establishing, modifying, or enforcing child support orders for the purpose of a child support enforcement program under Title IV of the Social Security Act upon the request of and on a reimbursable basis to the public agency administering the Federal Parent Locator Service as required by Section 303(h); and
9. information, upon request, to representatives of any federal, State or local governmental public housing agency with respect to individuals who have signed the appropriate consent form approved by the Secretary of Housing and Urban Development and who are applying for or participating in any housing assistance program administered by the United States Department of Housing and Urban Development as required by Section 303(i).

I. The Director, upon the request of a public agency of Illinois, of the federal government or of any other state charged with the investigation or enforcement of Section 10-5 of the Criminal Code of 1961 (or a similar federal law or similar law of another State), may furnish the public agency information regarding the individual specified in the request as to:

1. the current or most recent home address of the

individual, and

2. the names and addresses of the individual's employers.

J. Nothing in this Section shall be deemed to interfere with the disclosure of certain records as provided for in Section 1706 or with the right to make available to the Internal Revenue Service of the United States Department of the Treasury, or the Department of Revenue of the State of Illinois, information obtained under this Act.

K. The Department shall make available to the Illinois Student Assistance Commission, upon request, information in the possession of the Department that may be necessary or useful to the Commission in the collection of defaulted or delinquent student loans which the Commission administers.

L. The Department shall make available to the State Employees' Retirement System, the State Universities Retirement System, and the Teachers' Retirement System of the State of Illinois, upon request, information in the possession of the Department that may be necessary or useful to the System for the purpose of determining whether any recipient of a disability benefit from the System is gainfully employed.

M. This Section shall be applicable to the information obtained in the administration of the State employment service, except that the Director may publish or release general labor market information and may furnish information that he may deem proper to an individual, public officer or public agency of this or any other State or the federal government (in addition to those public officers or public agencies specified in this Section) as he prescribes by Rule.

N. The Director may require such safeguards as he deems proper to insure that information disclosed pursuant to this Section is used only for the purposes set forth in this Section.

O. (Blank).

P. Within 30 days after the effective date of this amendatory Act of 1993 and annually thereafter, the Department shall provide to the Department of Financial Institutions a list of individuals or entities that, for the most recently completed calendar year, report to the Department as paying wages to workers. The lists shall be deemed confidential and may not be disclosed to any other person.

Q. The Director shall make available to an elected federal official the name and address of an individual or entity that is located within the jurisdiction from which the official was elected and that, for the most recently completed calendar year, has reported to the Department as paying wages to workers, where the information will be used in connection with the official duties of the official and the official requests the information in writing, specifying the purposes for which it will be used. For purposes of this subsection, the use of information in connection with the official duties of an official does not include use of the information in connection with the solicitation of contributions or expenditures, in money or in kind, to or on behalf of a candidate for public or political office or a political party or with respect to a public question, as defined in Section 1-3 of the Election Code, or in connection with any commercial solicitation. Any elected federal official who, in submitting a request for information covered by this subsection, knowingly makes a false statement or fails to disclose a material fact, with the intent to obtain the information for a purpose not authorized by this subsection, shall be guilty of a Class B misdemeanor.

R. The Director may provide to any State or local child support agency, upon request and on a reimbursable basis, information that might be useful in locating an absent parent or that parent's employer, establishing paternity, or establishing, modifying, or enforcing child support orders.

S. The Department shall make available to a State's Attorney of this State or a State's Attorney's investigator, upon request, the current address or, if the current address is unavailable, current employer information, if available, of a victim of a felony or a witness to a felony or a person against whom an arrest warrant is outstanding.

T. The Director shall make available to the Department of State Police, upon request, any information concerning the place of employment or former places of employment of a person who is required to register as a sex offender under the Sex Offender Registration Act that may be useful in enforcing the registration provisions requiring a sex offender to disclose his or her place of employment to the law enforcement agency of the jurisdiction in which the sex offender is employed. (Source: P.A. 93-311, eff. 1-1-04; 93-721, eff. 1-1-05; 94-911, eff. 6-23-06.)

(820 ILCS 405/1900.1) (from Ch. 48, par. 640.1)

Sec. 1900.1. Privileged Communications. All letters,

reports, or communications of any kind, either oral or written, from an employer or his workers to each other, or to the Director or any of his agents, representatives, or employees, made in connection with the administration of this Act shall be absolutely privileged and shall not be the basis of any slander or libel suit in any court of this State unless they are false in fact and malicious in intent. (Source: P.A. 86-3.)

This report was prepared to meet the obligation of Public Act 094-0242, known as the Public Health Program Beneficiary Employer Disclosure Law, due to the General Assembly annually beginning on October 1, 2006.

For more information, write the Department's Division of Medical Programs, 3rd Floor, Prescott E. Bloom Building, 201 South Grand Avenue East, Springfield, IL 62763