

# HB1339



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1339

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356c

from Ch. 73, par. 968c

Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the insurability of newborns.

LRB100 03047 RPS 13052 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Insurance Code is amended by  
5 changing Section 356c as follows:

6 (215 ILCS 5/356c) (from Ch. 73, par. 968c)

7 Sec. 356c. (1) No policy of accident and ~~and~~ health  
8 insurance providing coverage of hospital expenses or medical  
9 expenses or both on an expense incurred basis which in addition  
10 to covering the insured, also covers members of the insured's  
11 immediate family, shall contain any disclaimer, waiver or other  
12 limitation of coverage relative to the hospital or medical  
13 coverage or insurability of newborn infants from and after the  
14 moment of birth.

15 (2) Each such policy of accident and health insurance shall  
16 contain a provision stating that the accident and health  
17 insurance benefits applicable for children shall be granted  
18 immediately with respect to a newly born child from the moment  
19 of birth. The coverage for newly born children shall include  
20 coverage of illness, injury, congenital defects, birth  
21 abnormalities and premature birth.

22 (3) If payment of a specific premium is required to provide  
23 coverage for a child, the policy may require that notification

1 of birth of a newly born child must be furnished to the insurer  
2 within 31 days after the date of birth in order to have the  
3 coverage continue beyond such 31 day period and may require  
4 payment of the appropriate premium.

5 (4) In the event that no other members of the insured's  
6 immediate family are covered, immediate coverage for the first  
7 newborn infant shall be provided if the insured applies for  
8 dependent's coverage within 31 days of the newborn's birth.  
9 Such coverage shall be contingent upon payment of the  
10 additional premium.

11 (5) The requirements of this Section shall apply, on or  
12 after the sixtieth day following the effective date of this  
13 Section, (a) to all such non-group policies delivered or issued  
14 for delivery, and (b) to all such group policies delivered,  
15 issued for delivery, renewed or amended. The insurers of such  
16 non-group policies in effect on the sixtieth day following the  
17 effective date of this Section shall extend to owners of said  
18 policies, on or before the first policy anniversary following  
19 such date, the opportunity to apply for the addition to their  
20 policies of a provision as set forth in paragraph (2) above,  
21 with, at the option of the insurer, payment of a premium  
22 appropriate thereto.

23 (Source: P.A. 85-220.)