



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2438

by Rep. Mary E. Flowers - LaToya Greenwood

SYNOPSIS AS INTRODUCED:

215 ILCS 5/370c.2 new
225 ILCS 60/24.5 new
225 ILCS 65/65-31 new
225 ILCS 95/7.8 new

Amends the Illinois Insurance Code. Requires an accident and health insurer to develop a maternal mental health program designed to promote quality and cost-effective outcomes. Amends the Medical Practice Act of 1987, the Nurse Practice Act, and the Physician Assistant Practice Act of 1987. Provides that licensed physicians, advanced practice registered nurses, and physician's assistants who provide prenatal and postpartum care for a patient shall ensure that the mother is offered screening or is appropriately screened for mental health conditions. Makes other changes. Effective immediately.

LRB101 08404 RAB 53474 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 adding
5 Section 370c.2 as follows:

6 (215 ILCS 5/370c.2 new)

7 Sec. 370c.2. Maternal mental health program.

8 (a) In this Section:

9 "Contracting obstetric provider" means an individual who
10 is certified or licensed and who is contracted with the
11 enrollee's health care service plan to provide services under
12 the enrollee's plan contract.

13 "Maternal mental health" means a mental health condition
14 that occurs during pregnancy or during the postpartum period
15 and includes, but is not limited to, postpartum depression.

16 (b) By July 1, 2020, an accident and health insurer shall
17 develop a maternal mental health program designed to promote
18 quality and cost-effective outcomes. The program shall be
19 developed consistent with sound clinical principles and
20 processes. The program guidelines and criteria shall be made
21 available upon request to medical providers, including a
22 contracting obstetric provider.

23 (c) This Section shall not apply to specialized health care

1 service plans, except specialized behavioral health-only plans
2 offering professional mental health services.

3 Section 10. The Medical Practice Act of 1987 is amended by
4 adding Section 24.5 as follows:

5 (225 ILCS 60/24.5 new)

6 Sec. 24.5. Physicians; maternal mental health program.

7 (a) In this Section, "maternal mental health condition"
8 means a mental health condition that occurs during pregnancy or
9 during the postpartum period and includes, but is not limited
10 to, postpartum depression.

11 (b) By July 1, 2020, a physician licensed to practice
12 medicine in all of its branches, who provides prenatal or
13 postpartum care for a patient shall ensure that the mother is
14 offered screening or is appropriately screened for maternal
15 mental health conditions.

16 (c) This Section shall not apply to a physician licensed to
17 practice when providing emergency services or care.

18 (d) This Section does not preclude any licensed or
19 certified provider acting within his or her scope of practice
20 from screening for maternal mental health conditions.

21 Section 15. The Nurse Practice Act is amended by adding
22 Section 65-31 as follows:

1 (225 ILCS 65/65-31 new)

2 Sec. 65-31. Advanced practice registered nurse; maternal
3 mental health program.

4 (a) In this Section, "maternal mental health condition"
5 means a mental health condition that occurs during pregnancy or
6 during the postpartum period and includes, but is not limited
7 to, postpartum depression.

8 (b) By July 1, 2020, an advanced practice registered nurse
9 who provides prenatal or postpartum care for a patient shall
10 ensure that the mother is offered screening or is appropriately
11 screened for maternal mental health conditions.

12 (c) This Section shall not apply to an advanced practice
13 registered nurse when providing emergency services or care.

14 (d) This Section does not preclude any licensed or
15 certified provider acting within his or her scope of practice
16 from screening for maternal mental health conditions.

17 Section 20. The Physician Assistant Practice Act of 1987 is
18 amended by adding Section 7.8 as follows:

19 (225 ILCS 95/7.8 new)

20 Sec. 7.8. Physician's assistant; maternal mental health
21 program.

22 (a) In this Section, "maternal mental health condition"
23 means a mental health condition that occurs during pregnancy or
24 during the postpartum period and includes, but is not limited

1 to, postpartum depression.

2 (b) By July 1, 2020, a physician's assistant who provides
3 prenatal or postpartum care for a patient shall ensure that the
4 mother is offered screening or is appropriately screened for
5 maternal mental health conditions.

6 (c) This Section shall not apply to a physician's assistant
7 when providing emergency services or care.

8 (d) This Section does not preclude any licensed or
9 certified provider acting within his or her scope of practice
10 from screening for maternal mental health conditions.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.