



Rep. Terra Costa Howard

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10100HB3700ham002

LRB101 05169 BMS 70274 a

1 AMENDMENT TO HOUSE BILL 3700

2 AMENDMENT NO. _____. Amend House Bill 3700 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Employees Group Insurance Act of 1971
5 is amended by changing Section 6.11 as follows:

6 (5 ILCS 375/6.11)

7 (Text of Section before amendment by P.A. 101-625)

8 Sec. 6.11. Required health benefits; Illinois Insurance
9 Code requirements. The program of health benefits shall provide
10 the post-mastectomy care benefits required to be covered by a
11 policy of accident and health insurance under Section 356t of
12 the Illinois Insurance Code. The program of health benefits
13 shall provide the coverage required under Sections 356g,
14 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4,
15 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
16 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25,

1 356z.26, 356z.29, 356z.30a, 356z.32, ~~and~~ 356z.33, and 356z.36
2 of the Illinois Insurance Code. The program of health benefits
3 must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c,
4 and 370c.1~~7~~, and Article XXXIIB of the Illinois Insurance Code.
5 The Department of Insurance shall enforce the requirements of
6 this Section with respect to Sections 370c and 370c.1 of the
7 Illinois Insurance Code; all other requirements of this Section
8 shall be enforced by the Department of Central Management
9 Services.

10 Rulemaking authority to implement Public Act 95-1045, if
11 any, is conditioned on the rules being adopted in accordance
12 with all provisions of the Illinois Administrative Procedure
13 Act and all rules and procedures of the Joint Committee on
14 Administrative Rules; any purported rule not so adopted, for
15 whatever reason, is unauthorized.

16 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
17 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
18 1-1-19; 100-1102, eff. 1-1-19; 100-1170, eff. 6-1-19; 101-13,
19 eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20;
20 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; revised 10-16-19.)

21 (Text of Section after amendment by P.A. 101-625)

22 Sec. 6.11. Required health benefits; Illinois Insurance
23 Code requirements. The program of health benefits shall provide
24 the post-mastectomy care benefits required to be covered by a
25 policy of accident and health insurance under Section 356t of

1 the Illinois Insurance Code. The program of health benefits
2 shall provide the coverage required under Sections 356g,
3 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4,
4 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
5 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25,
6 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, and
7 356z.41 of the Illinois Insurance Code. The program of health
8 benefits must comply with Sections 155.22a, 155.37, 355b,
9 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois
10 Insurance Code. The Department of Insurance shall enforce the
11 requirements of this Section with respect to Sections 370c and
12 370c.1 of the Illinois Insurance Code; all other requirements
13 of this Section shall be enforced by the Department of Central
14 Management Services.

15 Rulemaking authority to implement Public Act 95-1045, if
16 any, is conditioned on the rules being adopted in accordance
17 with all provisions of the Illinois Administrative Procedure
18 Act and all rules and procedures of the Joint Committee on
19 Administrative Rules; any purported rule not so adopted, for
20 whatever reason, is unauthorized.

21 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
22 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
23 1-1-19; 100-1102, eff. 1-1-19; 100-1170, eff. 6-1-19; 101-13,
24 eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20;
25 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.
26 1-1-21.)

1 Section 10. The Counties Code is amended by changing
2 Section 5-1069.3 as follows:

3 (55 ILCS 5/5-1069.3)

4 (Text of Section before amendment by P.A. 101-625)

5 Sec. 5-1069.3. Required health benefits. If a county,
6 including a home rule county, is a self-insurer for purposes of
7 providing health insurance coverage for its employees, the
8 coverage shall include coverage for the post-mastectomy care
9 benefits required to be covered by a policy of accident and
10 health insurance under Section 356t and the coverage required
11 under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x,
12 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,
13 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,
14 356z.30a, ~~and~~ 356z.32, ~~and~~ 356z.33, and 356z.36 of the Illinois
15 Insurance Code. The coverage shall comply with Sections
16 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance
17 Code. The Department of Insurance shall enforce the
18 requirements of this Section. The requirement that health
19 benefits be covered as provided in this Section is an exclusive
20 power and function of the State and is a denial and limitation
21 under Article VII, Section 6, subsection (h) of the Illinois
22 Constitution. A home rule county to which this Section applies
23 must comply with every provision of this Section.

24 Rulemaking authority to implement Public Act 95-1045, if

1 any, is conditioned on the rules being adopted in accordance
2 with all provisions of the Illinois Administrative Procedure
3 Act and all rules and procedures of the Joint Committee on
4 Administrative Rules; any purported rule not so adopted, for
5 whatever reason, is unauthorized.

6 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
7 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
8 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
9 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
10 revised 10-16-19.)

11 (Text of Section after amendment by P.A. 101-625)

12 Sec. 5-1069.3. Required health benefits. If a county,
13 including a home rule county, is a self-insurer for purposes of
14 providing health insurance coverage for its employees, the
15 coverage shall include coverage for the post-mastectomy care
16 benefits required to be covered by a policy of accident and
17 health insurance under Section 356t and the coverage required
18 under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x,
19 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,
20 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,
21 356z.30a, 356z.32, 356z.33, 356z.36, and 356z.41 of the
22 Illinois Insurance Code. The coverage shall comply with
23 Sections 155.22a, 355b, 356z.19, and 370c of the Illinois
24 Insurance Code. The Department of Insurance shall enforce the
25 requirements of this Section. The requirement that health

1 benefits be covered as provided in this Section is an exclusive
2 power and function of the State and is a denial and limitation
3 under Article VII, Section 6, subsection (h) of the Illinois
4 Constitution. A home rule county to which this Section applies
5 must comply with every provision of this Section.

6 Rulemaking authority to implement Public Act 95-1045, if
7 any, is conditioned on the rules being adopted in accordance
8 with all provisions of the Illinois Administrative Procedure
9 Act and all rules and procedures of the Joint Committee on
10 Administrative Rules; any purported rule not so adopted, for
11 whatever reason, is unauthorized.

12 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
13 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
14 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
15 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
16 101-625, eff. 1-1-21.)

17 Section 15. The Illinois Municipal Code is amended by
18 changing Section 10-4-2.3 as follows:

19 (65 ILCS 5/10-4-2.3)

20 (Text of Section before amendment by P.A. 101-625)

21 Sec. 10-4-2.3. Required health benefits. If a
22 municipality, including a home rule municipality, is a
23 self-insurer for purposes of providing health insurance
24 coverage for its employees, the coverage shall include coverage

1 for the post-mastectomy care benefits required to be covered by
2 a policy of accident and health insurance under Section 356t
3 and the coverage required under Sections 356g, 356g.5,
4 356g.5-1, 356u, 356w, 356x, 356z.5, 356z.6, 356z.8, 356z.9,
5 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22,
6 356z.25, 356z.26, 356z.29, 356z.30a, ~~and~~ 356z.32, ~~and~~ 356z.33,
7 and 356z.36 of the Illinois Insurance Code. The coverage shall
8 comply with Sections 155.22a, 355b, 356z.19, and 370c of the
9 Illinois Insurance Code. The Department of Insurance shall
10 enforce the requirements of this Section. The requirement that
11 health benefits be covered as provided in this is an exclusive
12 power and function of the State and is a denial and limitation
13 under Article VII, Section 6, subsection (h) of the Illinois
14 Constitution. A home rule municipality to which this Section
15 applies must comply with every provision of this Section.

16 Rulemaking authority to implement Public Act 95-1045, if
17 any, is conditioned on the rules being adopted in accordance
18 with all provisions of the Illinois Administrative Procedure
19 Act and all rules and procedures of the Joint Committee on
20 Administrative Rules; any purported rule not so adopted, for
21 whatever reason, is unauthorized.

22 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
23 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
24 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
25 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
26 revised 10-16-19.)

1 (Text of Section after amendment by P.A. 101-625)

2 Sec. 10-4-2.3. Required health benefits. If a
3 municipality, including a home rule municipality, is a
4 self-insurer for purposes of providing health insurance
5 coverage for its employees, the coverage shall include coverage
6 for the post-mastectomy care benefits required to be covered by
7 a policy of accident and health insurance under Section 356t
8 and the coverage required under Sections 356g, 356g.5,
9 356g.5-1, 356u, 356w, 356x, 356z.5, 356z.6, 356z.8, 356z.9,
10 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22,
11 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33,
12 356z.36, and 356z.41 of the Illinois Insurance Code. The
13 coverage shall comply with Sections 155.22a, 355b, 356z.19, and
14 370c of the Illinois Insurance Code. The Department of
15 Insurance shall enforce the requirements of this Section. The
16 requirement that health benefits be covered as provided in this
17 is an exclusive power and function of the State and is a denial
18 and limitation under Article VII, Section 6, subsection (h) of
19 the Illinois Constitution. A home rule municipality to which
20 this Section applies must comply with every provision of this
21 Section.

22 Rulemaking authority to implement Public Act 95-1045, if
23 any, is conditioned on the rules being adopted in accordance
24 with all provisions of the Illinois Administrative Procedure
25 Act and all rules and procedures of the Joint Committee on

1 Administrative Rules; any purported rule not so adopted, for
2 whatever reason, is unauthorized.

3 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
4 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
5 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
6 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
7 101-625, eff. 1-1-21.)

8 Section 20. The School Code is amended by changing Section
9 10-22.3f as follows:

10 (105 ILCS 5/10-22.3f)

11 (Text of Section before amendment by P.A. 101-625)

12 Sec. 10-22.3f. Required health benefits. Insurance
13 protection and benefits for employees shall provide the
14 post-mastectomy care benefits required to be covered by a
15 policy of accident and health insurance under Section 356t and
16 the coverage required under Sections 356g, 356g.5, 356g.5-1,
17 356u, 356w, 356x, 356z.5, 356z.6, 356z.8, 356z.9, 356z.11,
18 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,
19 356z.29, 356z.30a, ~~and~~ 356z.32, ~~and~~ 356z.33, and 356z.36 of the
20 Illinois Insurance Code. Insurance policies shall comply with
21 Section 356z.19 of the Illinois Insurance Code. The coverage
22 shall comply with Sections 155.22a, 355b, and 370c of the
23 Illinois Insurance Code. The Department of Insurance shall
24 enforce the requirements of this Section.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
8 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
9 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
10 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
11 revised 10-16-19.)

12 (Text of Section after amendment by P.A. 101-625)

13 Sec. 10-22.3f. Required health benefits. Insurance
14 protection and benefits for employees shall provide the
15 post-mastectomy care benefits required to be covered by a
16 policy of accident and health insurance under Section 356t and
17 the coverage required under Sections 356g, 356g.5, 356g.5-1,
18 356u, 356w, 356x, 356z.5, 356z.6, 356z.8, 356z.9, 356z.11,
19 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,
20 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, and 356z.41 of
21 the Illinois Insurance Code. Insurance policies shall comply
22 with Section 356z.19 of the Illinois Insurance Code. The
23 coverage shall comply with Sections 155.22a, 355b, and 370c of
24 the Illinois Insurance Code. The Department of Insurance shall
25 enforce the requirements of this Section.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
8 100-863, eff. 8-14-18; 100-1024, eff. 1-1-19; 100-1057, eff.
9 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
10 eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20;
11 101-625, eff. 1-1-21.)

12 Section 25. The Illinois Insurance Code is amended by
13 changing Section 356z.5 as follows:

14 (215 ILCS 5/356z.5)

15 Sec. 356z.5. Prescription inhalants. A group or individual
16 policy of accident and health insurance or managed care plan
17 amended, delivered, issued, or renewed on or after the
18 effective date of this amendatory Act of the 101st General
19 Assembly ~~this amendatory Act of the 93rd General Assembly~~ that
20 provides coverage for prescription drugs must provide coverage
21 for prescription inhalants and shall ~~may~~ not deny or limit
22 coverage for prescription inhalants to enable persons to
23 breathe when suffering from asthma or other life-threatening
24 bronchial ailments based upon any restriction on the number of

1 days before an inhaler refill may be obtained if, contrary to
2 those restrictions, the inhalants have been ordered or
3 prescribed by the treating physician and are medically
4 appropriate.

5 (Source: P.A. 95-331, eff. 8-21-07.)

6 Section 30. The Limited Health Service Organization Act is
7 amended by changing Section 4003 as follows:

8 (215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

9 (Text of Section before amendment by P.A. 101-625)

10 Sec. 4003. Illinois Insurance Code provisions. Limited
11 health service organizations shall be subject to the provisions
12 of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3,
13 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6,
14 154.7, 154.8, 155.04, 155.37, 355.2, 355.3, 355b, 356v, 356z.5,
15 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29,
16 356z.30a, 356z.32, 356z.33, 368a, 401, 401.1, 402, 403, 403A,
17 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII
18 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the
19 Illinois Insurance Code. For purposes of the Illinois Insurance
20 Code, except for Sections 444 and 444.1 and Articles XIII and
21 XIII 1/2, limited health service organizations in the following
22 categories are deemed to be domestic companies:

23 (1) a corporation under the laws of this State; or

24 (2) a corporation organized under the laws of another

1 state, 30% or more of the enrollees of which are residents
2 of this State, except a corporation subject to
3 substantially the same requirements in its state of
4 organization as is a domestic company under Article VIII
5 1/2 of the Illinois Insurance Code.

6 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
7 100-201, eff. 8-18-17; 100-863, eff. 8-14-18; 100-1057, eff.
8 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
9 eff. 1-1-20; 101-393, eff. 1-1-20; revised 10-16-19.)

10 (Text of Section after amendment by P.A. 101-625)

11 Sec. 4003. Illinois Insurance Code provisions. Limited
12 health service organizations shall be subject to the provisions
13 of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3,
14 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6,
15 154.7, 154.8, 155.04, 155.37, 355.2, 355.3, 355b, 356v, 356z.5,
16 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29,
17 356z.30a, 356z.32, 356z.33, 356z.41, 368a, 401, 401.1, 402,
18 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles
19 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of
20 the Illinois Insurance Code. For purposes of the Illinois
21 Insurance Code, except for Sections 444 and 444.1 and Articles
22 XIII and XIII 1/2, limited health service organizations in the
23 following categories are deemed to be domestic companies:

24 (1) a corporation under the laws of this State; or

25 (2) a corporation organized under the laws of another

1 state, 30% or more of the enrollees of which are residents
2 of this State, except a corporation subject to
3 substantially the same requirements in its state of
4 organization as is a domestic company under Article VIII
5 1/2 of the Illinois Insurance Code.

6 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;
7 100-201, eff. 8-18-17; 100-863, eff. 8-14-18; 100-1057, eff.
8 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff. 7-12-19; 101-281,
9 eff. 1-1-20; 101-393, eff. 1-1-20; 101-625, eff. 1-1-21.)

10 Section 35. The Illinois Public Aid Code is amended by
11 changing Section 5-16.8 as follows:

12 (305 ILCS 5/5-16.8)

13 Sec. 5-16.8. Required health benefits. The medical
14 assistance program shall (i) provide the post-mastectomy care
15 benefits required to be covered by a policy of accident and
16 health insurance under Section 356t and the coverage required
17 under Sections 356g.5, 356u, 356w, 356x, 356z.5, 356z.6,
18 356z.26, 356z.29, ~~and~~ 356z.32, ~~and~~ 356z.33, 356z.34, 356z.35,
19 and 356z.39 of the Illinois Insurance Code and (ii) be subject
20 to the provisions of Sections 356z.19, 364.01, 370c, and 370c.1
21 of the Illinois Insurance Code.

22 On and after July 1, 2012, the Department shall reduce any
23 rate of reimbursement for services or other payments or alter
24 any methodologies authorized by this Code to reduce any rate of

1 reimbursement for services or other payments in accordance with
2 Section 5-5e.

3 To ensure full access to the benefits set forth in this
4 Section, on and after January 1, 2016, the Department shall
5 ensure that provider and hospital reimbursement for
6 post-mastectomy care benefits required under this Section are
7 no lower than the Medicare reimbursement rate.

8 (Source: P.A. 100-138, eff. 8-18-17; 100-863, eff. 8-14-18;
9 100-1057, eff. 1-1-19; 100-1102, eff. 1-1-19; 101-81, eff.
10 7-12-19; 101-218, eff. 1-1-20; 101-281, eff. 1-1-20; 101-371,
11 eff. 1-1-20; 101-574, eff. 1-1-20; revised 10-16-19.)

12 Section 95. No acceleration or delay. Where this Act makes
13 changes in a statute that is represented in this Act by text
14 that is not yet or no longer in effect (for example, a Section
15 represented by multiple versions), the use of that text does
16 not accelerate or delay the taking effect of (i) the changes
17 made by this Act or (ii) provisions derived from any other
18 Public Act.

19 Section 99. Effective date. This Act takes effect January
20 1, 2021."