



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4080

Introduced 1/16/2020, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

820 ILCS 320/10

Amends the Public Safety Employee Benefits Act. Provides that any full-time law enforcement, correctional or correctional probation officer, or firefighter that suffers a catastrophic injury or is killed in the line of duty, as well as their spouse or child, shall be offered by the employer of the law enforcement, correctional or correctional probation officer, or firefighter the choice of any health insurance plan available to currently employed full-time law enforcement, correctional or correctional probation officers, or firefighters.

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1 AN ACT concerning employment.

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

4 Section 5. The Public Safety Employee Benefits Act is
5 amended by changing Section 10 as follows:

6 (820 ILCS 320/10)

7 Sec. 10. Required health coverage benefits.

8 (a) An employer who employs a full-time law enforcement,
9 correctional or correctional probation officer, or
10 firefighter, who, on or after the effective date of this Act
11 suffers a catastrophic injury or is killed in the line of duty
12 shall pay the entire premium of the employer's health insurance
13 plan for the injured employee, the injured employee's spouse,
14 and for each dependent child of the injured employee until the
15 child reaches the age of majority or until the end of the
16 calendar year in which the child reaches the age of 25 if the
17 child continues to be dependent for support or the child is a
18 full-time or part-time student and is dependent for support. An
19 individual whose entire premium is paid pursuant to this
20 Section shall be offered by the employer the choice of any
21 health insurance plan available to currently employed
22 full-time law enforcement, correctional or correctional
23 probation officers, or firefighters. The term "health

1 insurance plan" does not include supplemental benefits that are
2 not part of the basic group health insurance plan. If the
3 injured employee subsequently dies, the employer shall
4 continue to pay the entire health insurance premium for the
5 surviving spouse until remarried and for the dependent children
6 under the conditions established in this Section. However:

7 (1) Health insurance benefits payable from any other
8 source shall reduce benefits payable under this Section.

9 (2) It is unlawful for a person to willfully and
10 knowingly make, or cause to be made, or to assist, conspire
11 with, or urge another to make, or cause to be made, any
12 false, fraudulent, or misleading oral or written statement
13 to obtain health insurance coverage as provided under this
14 Section. A violation of this item is a Class A misdemeanor.

15 (3) Upon conviction for a violation described in item
16 (2), a law enforcement, correctional or correctional
17 probation officer, or other beneficiary who receives or
18 seeks to receive health insurance benefits under this
19 Section shall forfeit the right to receive health insurance
20 benefits and shall reimburse the employer for all benefits
21 paid due to the fraud or other prohibited activity. For
22 purposes of this item, "conviction" means a determination
23 of guilt that is the result of a plea or trial, regardless
24 of whether adjudication is withheld.

25 (b) In order for the law enforcement, correctional or
26 correctional probation officer, firefighter, spouse, or

1 dependent children to be eligible for insurance coverage under
2 this Act, the injury or death must have occurred as the result
3 of the officer's response to fresh pursuit, the officer or
4 firefighter's response to what is reasonably believed to be an
5 emergency, an unlawful act perpetrated by another, or during
6 the investigation of a criminal act. Nothing in this Section
7 shall be construed to limit health insurance coverage or
8 pension benefits for which the officer, firefighter, spouse, or
9 dependent children may otherwise be eligible.

10 (Source: P.A. 90-535, eff. 11-14-97.)