



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2255

Introduced 5/9/2019, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.33 new

Amends the Illinois Insurance Code. Provides that an individual or group policy of accident and health insurance amended, delivered, issued, or renewed after the effective date of the amendatory Act shall cover charges incurred and services provided for outpatient and inpatient care in conjunction with services that are provided to a covered individual related to the diagnosis and treatment of a congenital anomaly or birth defect. Provides that the required coverage includes any service to functionally improve, repair, or restore any body part that is medically necessary to achieve normal body function or appearance, as determined by the treating physician or dentist. Provides that any coverage provided may be subject to coverage limits, such as pre-authorization or pre-certification, as required by the plan or issuer that are no more restrictive than the predominant treatment limitations applied to substantially all medical and surgical benefits covered by the plan. Defines "treatment". Effective immediately.

LRB101 12399 SMS 60462 b

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 356z.33 as follows:

6 (215 ILCS 5/356z.33 new)

7 Sec. 356z.33. Coverage for congenital anomaly or birth  
8 defect.

9 (a) As used in this Section, "treatment" includes inpatient  
10 and outpatient care and services performed to improve or  
11 restore body function, or performed to approximate a normal  
12 appearance, due to congenital anomaly or birth defect and  
13 includes treatment to any and all missing or abnormal body  
14 parts, including teeth, the oral cavity, and their associated  
15 structures, that would otherwise be provided under the plan or  
16 coverage for any other injury and sickness, including:

17 (1) inpatient and outpatient care, reconstructive  
18 services and procedures, and complications thereof,  
19 including prosthetics and appliances;

20 (2) adjunctive dental, orthodontic, or prosthodontic  
21 support from birth until the medical or surgical treatment  
22 of the defect or anomaly has been completed, including  
23 ongoing or subsequent treatment required to maintain

1 function or approximate a normal appearance;

2 (3) procedures that do not materially restore or  
3 improve the function of the body part being treated;

4 (4) procedures for secondary conditions and follow-up  
5 treatment; and

6 (5) anesthetics provided by a dentist with a permit  
7 provided under Section 8.1 of the Illinois Dental Practice  
8 Act.

9 "Treatment" does not include cosmetic surgery performed to  
10 reshape normal structures of the body to improve appearance or  
11 self-esteem.

12 (b) An individual or group policy of accident and health  
13 insurance amended, delivered, issued, or renewed after the  
14 effective date of this amendatory Act of the 101st General  
15 Assembly shall cover charges incurred and services provided for  
16 outpatient and inpatient care in conjunction with services that  
17 are provided to a covered individual related to the diagnosis  
18 and treatment of a congenital anomaly or birth defect.

19 (c) Coverage required under this Section includes any  
20 service to functionally improve, repair, or restore any body  
21 part that is medically necessary to achieve normal body  
22 function or appearance, as determined by the treating physician  
23 or dentist. Any coverage provided may be subject to coverage  
24 limits, such as pre-authorization or pre-certification, as  
25 required by the plan or issuer that are no more restrictive  
26 than the predominant treatment limitations applied to

1 substantially all medical and surgical benefits covered by the  
2 plan.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.