



Sen. Rachelle Crowe

Filed: 4/24/2019

10100HB3509sam001

LRB101 09808 AMC 59222 a

1 AMENDMENT TO HOUSE BILL 3509

2 AMENDMENT NO. _____. Amend House Bill 3509 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 adding Section 6.16 as follows:

6 (5 ILCS 375/6.16 new)

7 Sec. 6.16. Human breast milk coverage. Notwithstanding any
8 other provision of this Act, pasteurized donated human breast
9 milk, which may include human milk fortifiers if indicated by a
10 prescribing licensed medical practitioner, shall be covered
11 under a health plan for persons who are otherwise eligible for
12 coverage under this Act, if the covered person is an infant
13 under the age of 6 months, a physician prescribes the milk for
14 the covered person, and all of the following conditions are
15 met:

16 (1) the milk is obtained from a human milk bank that is

1 licensed by the Department of Public Health;

2 (2) the infant is critically ill and the infant's
3 mother is medically or physically unable to produce
4 maternal breast milk or produce maternal breast milk in
5 sufficient quantities to meet the infant's needs or the
6 maternal breast milk is contraindicated;

7 (3) the milk has been determined to be medically
8 necessary for the infant; and

9 (4) one or more of the following applies:

10 (A) the infant's birth weight is below 1,500 grams;

11 (B) the infant has a congenital or acquired
12 condition that places the infant at a high risk for
13 development of necrotizing enterocolitis;

14 (C) the infant has infant hypoglycemia;

15 (D) the infant has congenital heart disease;

16 (E) the infant has had or will have an organ
17 transplant;

18 (F) the infant has sepsis; or

19 (G) the infant has any other serious congenital or
20 acquired condition for which the use of donated human
21 breast milk is medically necessary and supports the
22 treatment and recovery of the infant.

23 Section 10. The Illinois Insurance Code is amended by
24 adding Section 356z.33 as follows:

1 (215 ILCS 5/356z.33 new)

2 Sec. 356z.33. Human breast milk coverage. Notwithstanding
3 any other provision of this Act, pasteurized donated human
4 breast milk, which may include human milk fortifiers if
5 indicated by a prescribing licensed medical practitioner,
6 shall be covered under an individual or group health insurance
7 for persons who are otherwise eligible for coverage under this
8 Act, if the covered person is an infant under the age of 6
9 months, a physician prescribes the milk for the covered person,
10 and all of the following conditions are met:

11 (1) the milk is obtained from a human milk bank that is
12 licensed by the Department of Public Health;

13 (2) the infant is critically ill and the infant's
14 mother is medically or physically unable to produce
15 maternal breast milk or produce maternal breast milk in
16 sufficient quantities to meet the infant's needs or the
17 maternal breast milk is contraindicated;

18 (3) the milk has been determined to be medically
19 necessary for the infant; and

20 (4) one or more of the following applies:

21 (A) the infant's birth weight is below 1,500 grams;

22 (B) the infant has a congenital or acquired
23 condition that places the infant at a high risk for
24 development of necrotizing enterocolitis;

25 (C) the infant has infant hypoglycemia;

26 (D) the infant has congenital heart disease;

1 (E) the infant has had or will have an organ
2 transplant;

3 (F) the infant has sepsis; or

4 (G) the infant has any other serious congenital or
5 acquired condition for which the use of donated human
6 breast milk is medically necessary and supports the
7 treatment and recovery of the infant.

8 Section 15. The Illinois Public Aid Code is amended by
9 adding Section 5-40 as follows:

10 (305 ILCS 5/5-40 new)

11 Sec. 5-40. Human breast milk coverage. Notwithstanding any
12 other provision of this Act, pasteurized donated human breast
13 milk, which may include human milk fortifiers if indicated by a
14 prescribing licensed medical practitioner, shall be covered
15 under a health plan for persons who are otherwise eligible for
16 coverage under this Act, if the covered person is an infant
17 under the age of 6 months, a physician prescribes the milk for
18 the covered person, and all of the following conditions are
19 met:

20 (1) the milk is obtained from a human milk bank that is
21 licensed by the Department of Public Health;

22 (2) the infant is critically ill and the infant's
23 mother is medically or physically unable to produce
24 maternal breast milk or produce maternal breast milk in

1 sufficient quantities to meet the infant's needs or the
2 maternal breast milk is contraindicated;

3 (3) the milk has been determined to be medically
4 necessary for the infant; and

5 (4) one or more of the following applies:

6 (A) the infant's birth weight is below 1,500 grams;

7 (B) the infant has a congenital or acquired
8 condition that places the infant at a high risk for
9 development of necrotizing enterocolitis;

10 (C) the infant has infant hypoglycemia;

11 (D) the infant has congenital heart disease;

12 (E) the infant has had or will have an organ
13 transplant;

14 (F) the infant has sepsis; or

15 (G) the infant has any other serious congenital or
16 acquired condition for which the use of donated human
17 breast milk is medically necessary and supports the
18 treatment and recovery of the infant.

19 Section 99. Effective date. This Act takes effect January
20 1, 2020."