



Sen. Rachelle Crowe

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10100HB3509sam002

LRB101 09808 RPS 60425 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.

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

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

1 meets quality guidelines established by the Human Milk
2 Banking Association of North America or is licensed by the
3 Department of Public Health;

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

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

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

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

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

15 (C) the infant has infant hypoglycemia;

16 (D) the infant has congenital heart disease;

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

19 (F) the infant has sepsis; or

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

24 (b) Notwithstanding any other provision of this Act,
25 pasteurized donated human breast milk, which may include human
26 milk fortifiers if indicated by a prescribing licensed medical

1 practitioner, shall be covered under a health plan for persons
2 who are otherwise eligible for coverage under this Act if the
3 covered person is a child 6 months of age or older, a licensed
4 medical practitioner prescribes the milk for the covered
5 person, and all of the following conditions are met:

6 (1) the milk is obtained from a human milk bank that
7 meets quality guidelines established by the Human Milk
8 Banking Association of North America or is licensed by the
9 Department of Public Health;

10 (2) the child's mother is medically or physically
11 unable to produce maternal breast milk or produce maternal
12 breast milk in sufficient quantities to meet the child's
13 needs or the maternal breast milk is contraindicated;

14 (3) the milk has been determined to be medically
15 necessary for the child; and

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

17 (A) the child has spinal muscular atrophy;

18 (B) the child's birth weight was below 1,500 grams
19 and he or she has long-term feeding or gastrointestinal
20 complications related to prematurity;

21 (C) the child has had or will have an organ
22 transplant; or

23 (D) the child has a congenital or acquired
24 condition for which the use of donated human breast
25 milk is medically necessary and supports the treatment
26 and recovery of the child.

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

3 (215 ILCS 5/356z.33 new)

4 Sec. 356z.33. Human breast milk coverage.

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

14 (1) the milk is obtained from a human milk bank that
15 meets quality guidelines established by the Human Milk
16 Banking Association of North America or is licensed by the
17 Department of Public Health;

18 (2) the infant's mother is medically or physically
19 unable to produce maternal breast milk or produce maternal
20 breast milk in sufficient quantities to meet the infant's
21 needs or the maternal breast milk is contraindicated;

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

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

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

2 (B) the infant has a congenital or acquired
3 condition that places the infant at a high risk for
4 development of necrotizing enterocolitis;

5 (C) the infant has infant hypoglycemia;

6 (D) the infant has congenital heart disease;

7 (E) the infant has had or will have an organ
8 transplant;

9 (F) the infant has sepsis; or

10 (G) the infant has any other serious congenital or
11 acquired condition for which the use of donated human
12 breast milk is medically necessary and supports the
13 treatment and recovery of the infant.

14 (b) Notwithstanding any other provision of this Act,
15 pasteurized donated human breast milk, which may include human
16 milk fortifiers if indicated by a prescribing licensed medical
17 practitioner, shall be covered under an individual or group
18 health insurance for persons who are otherwise eligible for
19 coverage under this Act if the covered person is a child 6
20 months of age or older, a licensed medical practitioner
21 prescribes the milk for the covered person, and all of the
22 following conditions are met:

23 (1) the milk is obtained from a human milk bank that
24 meets quality guidelines established by the Human Milk
25 Banking Association of North America or is licensed by the
26 Department of Public Health;

1 (2) the child's mother is medically or physically
2 unable to produce maternal breast milk or produce maternal
3 breast milk in sufficient quantities to meet the child's
4 needs or the maternal breast milk is contraindicated;

5 (3) the milk has been determined to be medically
6 necessary for the child; and

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

8 (A) the child has spinal muscular atrophy;

9 (B) the child's birth weight was below 1,500 grams
10 and he or she has long-term feeding or gastrointestinal
11 complications related to prematurity;

12 (C) the child has had or will have an organ
13 transplant; or

14 (D) the child has a congenital or acquired
15 condition for which the use of donated human breast
16 milk is medically necessary and supports the treatment
17 and recovery of the child.

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

20 (305 ILCS 5/5-40 new)

21 Sec. 5-40. Human breast milk coverage.

22 (a) Notwithstanding any other provision of this Act,
23 pasteurized donated human breast milk, which may include human
24 milk fortifiers if indicated by a prescribing licensed medical

1 practitioner, shall be covered under a health plan for persons
2 who are otherwise eligible for coverage under this Act if the
3 covered person is an infant under the age of 6 months, a
4 licensed medical practitioner prescribes the milk for the
5 covered person, and all of the following conditions are met:

6 (1) the milk is obtained from a human milk bank that
7 meets quality guidelines established by the Human Milk
8 Banking Association of North America or is licensed by the
9 Department of Public Health;

10 (2) the infant's mother is medically or physically
11 unable to produce maternal breast milk or produce maternal
12 breast milk in sufficient quantities to meet the infant's
13 needs or the maternal breast milk is contraindicated;

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

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

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

18 (B) the infant has a congenital or acquired
19 condition that places the infant at a high risk for
20 development of necrotizing enterocolitis;

21 (C) the infant has infant hypoglycemia;

22 (D) the infant has congenital heart disease;

23 (E) the infant has had or will have an organ
24 transplant;

25 (F) the infant has sepsis; or

26 (G) the infant has any other serious congenital or

1 acquired condition for which the use of donated human
2 breast milk is medically necessary and supports the
3 treatment and recovery of the infant.

4 (b) Notwithstanding any other provision of this Act,
5 pasteurized donated human breast milk, which may include human
6 milk fortifiers if indicated by a prescribing licensed medical
7 practitioner, shall be covered under a health plan for persons
8 who are otherwise eligible for coverage under this Act if the
9 covered person is a child 6 months of age or older, a licensed
10 medical practitioner prescribes the milk for the covered
11 person, and all of the following conditions are met:

12 (1) the milk is obtained from a human milk bank that
13 meets quality guidelines established by the Human Milk
14 Banking Association of North America or is licensed by the
15 Department of Public Health;

16 (2) the child's mother is medically or physically
17 unable to produce maternal breast milk or produce maternal
18 breast milk in sufficient quantities to meet the child's
19 needs or the maternal breast milk is contraindicated;

20 (3) the milk has been determined to be medically
21 necessary for the child; and

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

23 (A) the child has spinal muscular atrophy;

24 (B) the child's birth weight was below 1,500 grams
25 and he or she has long-term feeding or gastrointestinal
26 complications related to prematurity;

1 (C) the child has had or will have an organ
2 transplant; or

3 (D) the child has a congenital or acquired
4 condition for which the use of donated human breast
5 milk is medically necessary and supports the treatment
6 and recovery of the child.

7 Section 99. Effective date. This Act takes effect January
8 1, 2020."