

HB3373



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3373

Introduced 2/22/2021, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

820 ILCS 320/10

Amends the Public Safety Employee Benefits Act. In a provision requiring a public safety employer to pay the entire premium of its health insurance plan for a public safety employee, the employee's spouse, and the employee's dependent children after the employee suffers a fatal or catastrophic injury in the line of duty, requires the employer to offer any individual who qualifies for such premium payments the choice of any health insurance plan available to currently employed full-time public safety employees.

LRB102 02662 KTG 12665 b

A BILL FOR

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
13 insurance plan for the injured employee, the injured
14 employee's spouse, and for each dependent child of the injured
15 employee until the child reaches the age of majority or until
16 the end of the calendar year in which the child reaches the age
17 of 25 if the child continues to be dependent for support or the
18 child is a full-time or part-time student and is dependent for
19 support. An individual whose entire premium is paid in
20 accordance with this Section shall be offered by the employer
21 the choice of any health insurance plan available to currently
22 employed full-time law enforcement, correctional or
23 correctional probation officers, or firefighters. The term

1 "health insurance plan" does not include supplemental benefits
2 that are not part of the basic group health insurance plan. If
3 the 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
6 children under the conditions established in this Section.
7 However:

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

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

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

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

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