



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3845

Introduced 2/22/2021, by Rep. Lindsey LaPointe

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.43 new

Amends the Illinois Insurance Code to require an insurance policy to provide coverage for medically necessary treatments for genetic, rare, unknown or unnamed, and unique conditions, including Ehlers-Danlos syndrome and altered drug metabolism. Provides that an insurance policy that provides coverage for prescription drugs shall include coverage for opioid alternatives, coverage for medicines included in the Model List of Essential Medicines published by the World Health Organization, and coverage for custom-made medications and medical food. Provides that an insurance policy that limits the quantity of a medication in accordance with applicable State and federal law shall not require pre-approval for the treatment of patients with rare metabolism conditions that may need a higher dose of medication than what is otherwise allowed within a time frame or prescription schedule. Provides that the burden of proving that treatment is medically necessary shall not lie with the insured in cases of rejections for filing claims, preauthorization requests, and appeals related to coverage required under the Section.

LRB102 14127 BMS 19479 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  
5 adding Section 356z.43 as follows:

6 (215 ILCS 5/356z.43 new)

7 Sec. 356z.43. Genetic, rare, and unique conditions;  
8 medically necessary treatment.

9 (a) An insurance policy amended, delivered, issued, or  
10 renewed in this State on or after the effective date of this  
11 amendatory Act of the 102nd General Assembly shall provide  
12 coverage for medically necessary treatments for genetic, rare,  
13 unknown or unnamed, and unique conditions, including  
14 Ehlers-Danlos syndrome and altered drug metabolism.

15 (b) For an insurance policy that provides coverage for  
16 prescription drugs, the coverage required under subsection (a)  
17 shall include coverage for opioid alternatives, coverage for  
18 medicines included in the most recent Model List of Essential  
19 Medicines published by the World Health Organization, and  
20 coverage for custom-made medications and medical food.

21 (c) An insurance policy that limits the quantity of a  
22 medication in accordance with applicable State and federal law  
23 shall not require pre-approval for the treatment of patients

1 with rare metabolism conditions that may need a higher dose of  
2 medication than what is otherwise allowed within a time frame  
3 or prescription schedule.

4 (d) The burden of proving that treatment is medically  
5 necessary shall not lie with the insured in cases of  
6 rejections for filing claims, preauthorization requests, and  
7 appeals related to coverage required under this Section.