

HB3874



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3874

Introduced 2/22/2021, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356m

from Ch. 73, par. 968m

215 ILCS 5/356z.33

Amends the Illinois Insurance Code. In provisions concerning infertility coverage and coverage for epinephrine injectors, provides that on or after the effective date of the amendatory Act, specified coverage shall be applicable to policies of insurance written in other states that insure an Illinois resident.

LRB102 15052 BMS 20407 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing Sections 356m and 356z.33 as follows:

6 (215 ILCS 5/356m) (from Ch. 73, par. 968m)

7 Sec. 356m. Infertility coverage.

8 (a) No group policy of accident and health insurance
9 providing coverage for more than 25 employees that provides
10 pregnancy related benefits may be issued, amended, delivered,
11 or renewed in this State after the effective date of this
12 amendatory Act of the 99th General Assembly unless the policy
13 contains coverage for the diagnosis and treatment of
14 infertility including, but not limited to, in vitro
15 fertilization, uterine embryo lavage, embryo transfer,
16 artificial insemination, gamete intrafallopian tube transfer,
17 zygote intrafallopian tube transfer, and low tubal ovum
18 transfer.

19 (b) The coverage required under subsection (a) is subject
20 to the following conditions:

21 (1) Coverage for procedures for in vitro
22 fertilization, gamete intrafallopian tube transfer, or
23 zygote intrafallopian tube transfer shall be required only

1 if:

2 (A) the covered individual has been unable to
3 attain a viable pregnancy, maintain a viable
4 pregnancy, or sustain a successful pregnancy through
5 reasonable, less costly medically appropriate
6 infertility treatments for which coverage is available
7 under the policy, plan, or contract;

8 (B) the covered individual has not undergone 4
9 completed oocyte retrievals, except that if a live
10 birth follows a completed oocyte retrieval, then 2
11 more completed oocyte retrievals shall be covered; and

12 (C) the procedures are performed at medical
13 facilities that conform to the American College of
14 Obstetric and Gynecology guidelines for in vitro
15 fertilization clinics or to the American Fertility
16 Society minimal standards for programs of in vitro
17 fertilization.

18 (2) The procedures required to be covered under this
19 Section are not required to be contained in any policy or
20 plan issued to or by a religious institution or
21 organization or to or by an entity sponsored by a
22 religious institution or organization that finds the
23 procedures required to be covered under this Section to
24 violate its religious and moral teachings and beliefs.

25 (c) For purpose of this Section, "infertility" means the
26 inability to conceive after one year of unprotected sexual

1 intercourse, the inability to conceive after one year of
2 attempts to produce conception, the inability to conceive
3 after an individual is diagnosed with a condition affecting
4 fertility, or the inability to sustain a successful pregnancy.

5 (d) On or after the effective date of this amendatory Act
6 of the 102nd General Assembly, coverage required under this
7 Section shall be applicable to policies of insurance written
8 in other states that insure an Illinois resident.

9 (Source: P.A. 99-421, eff. 1-1-16.)

10 (215 ILCS 5/356z.33)

11 Sec. 356z.33. Coverage for epinephrine injectors.

12 (a) A group or individual policy of accident and health
13 insurance or a managed care plan that is amended, delivered,
14 issued, or renewed on or after January 1, 2020 (the effective
15 date of Public Act 101-281) ~~this amendatory Act of the 101st~~
16 ~~General Assembly~~ shall provide coverage for medically
17 necessary epinephrine injectors for persons 18 years of age or
18 under. As used in this Section, "epinephrine injector" has the
19 meaning given to that term in Section 5 of the Epinephrine
20 Injector Act.

21 (b) On or after the effective date of this amendatory Act
22 of the 102nd General Assembly, coverage required under this
23 Section shall be applicable to policies of insurance written
24 in other states that insure an Illinois resident.

25 (Source: P.A. 101-281, eff. 1-1-20; revised 10-16-19.)