



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5219

Introduced 1/31/2022, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.52 new
305 ILCS 5/5-45 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to establish a Prescription Produce Program to allow cancer patients who are otherwise eligible for medical assistance to receive coverage for fresh produce as they undergo cancer treatment. Provides that under the program, the Department shall provide Prescription Produce Program coupons to eligible persons who have a prescription from a licensed physician for fresh produce as part of any cancer treatment regimen. Provides that coupon holders may redeem their coupons at any participating food retailer. Provides that farmers markets located in "food deserts" and grocery stores that accept Supplemental Nutrition Assistance Program benefits may participate in the program as designated retailers that accept Prescription Produce Program coupons. Permits the Department to provide incentives to solicit food retailers to participate in the program. Provides that the Department may adopt any rules necessary to implement the program. Amends the Illinois Insurance Code. Provides that a group or individual policy of accident and health insurance or managed care plan that is amended, delivered, issued, or renewed after the effective date of the amendatory Act may provide coverage for fresh food prescribed by a licensed physician as part of any cancer treatment regimen. Defines "fresh food" to mean fresh food grown in the earth such as fruit, vegetables, and grain.

LRB102 24787 KTG 34030 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. This Act may be referred to as the Fresh Food
5 Access for Cancer Patients Act.

6 Section 5. The Illinois Insurance Code is amended by
7 adding Section 356z.52 as follows:

8 (215 ILCS 5/356z.52 new)

9 Sec. 356z.52. Fresh food for cancer patients. A group or
10 individual policy of accident and health insurance or managed
11 care plan that is amended, delivered, issued, or renewed after
12 the effective date of this amendatory Act of the 102nd General
13 Assembly may provide coverage for fresh food prescribed by a
14 licensed physician as part of any cancer treatment regimen. As
15 used in this Section, "fresh food" means fresh food grown in
16 the earth such as fruit, vegetables, and grain.

17 Section 10. The Illinois Public Aid Code is amended by
18 adding Section 5-45 as follows:

19 (305 ILCS 5/5-45 new)

20 Sec. 5-45. Prescription Produce Program.

1 (a) Findings.

2 (1) Social factors are associated with cancer risk.
3 The following estimates are discussed due to their
4 importance in understanding the factors that may affect
5 cancer incidence, mortality, treatment, and survivorship.

6 (2) Compared to the U.S. average, cancer incidence and
7 mortality rates indicate that Illinois residents generally
8 experience higher rates of cancer incidence and death.
9 Certain groups suffer disproportionately from cancer
10 incidence based on age, education, ethnicity, gender,
11 disability, geographic location, income, and race. Racial
12 and ethnic disparities play a role in cancer incidence and
13 mortality rate that are present in Illinois, as well as
14 low socioeconomic status.

15 (3) Access to fresh fruit and vegetables and other
16 heart-healthy food is important to reducing the risk of
17 cardiovascular disease, cancer, and other chronic
18 illnesses. A report conducted by the Mari Gallagher
19 Research and Consulting Group in 2006 investigated the
20 determinants of food deserts in Chicago. The study found
21 that access to particular types of food providers was
22 linked to community demographics.

23 (4) In Chicago, the Mari Gallagher study found access
24 to grocery stores and fast food establishments to be
25 related to years of potential life lost and death rates
26 from cancer, cardiovascular disease, and diabetes.

1 (5) Medicaid is an important source of coverage for
2 people with cancer and cancer survivors. More than
3 2,000,000 Americans (children and adults under age 65)
4 with a history of cancer rely on Medicaid for their health
5 care, and in 2014 nearly one in 3 children diagnosed with
6 cancer were enrolled in Medicaid at the time of their
7 diagnosis.

8 (6) For cancer patients and other individuals
9 diagnosed with a serious medical condition for which
10 expensive treatment is necessary, Medicaid provides
11 individuals and families with financial protection.
12 Medicaid covers the cost of their medical treatment so
13 that they do not have to face financial distress or
14 bankruptcy in order to seek medical care.

15 (7) Coverage of fresh food by the State's Medical
16 Assistance program would result in a direct impact in
17 reducing costs for low-income residents in Illinois
18 located in or near a food desert for fresh food during
19 cancer treatment.

20 (b) Definitions.

21 "Cancer treatment" means any treatment that is
22 required for a cancer patient including, but not limited
23 to, radiation, chemotherapy, immunotherapy, and any other
24 physical, medical, psychiatric, or counseling treatment
25 prescribed by a licensed physician.

26 "Cancer patient" means any individual undergoing

1 cancer treatments who has been diagnosed with cancer by a
2 licensed physician.

3 "Fresh food" means fresh food grown in the earth such
4 as fruit, vegetables, and grain.

5 "Food deserts" means any urban area in the State in
6 which it is difficult to buy affordable or good-quality
7 fresh food.

8 (c) Prescription Produce Program. The Department of
9 Healthcare and Family Services shall establish a Prescription
10 Produce Program to allow cancer patients who are otherwise
11 eligible for medical assistance to receive coverage for fresh
12 produce as they undergo cancer treatment. Under the program,
13 the Department shall provide Prescription Produce Program
14 coupons to eligible persons who have a prescription from a
15 licensed physician for fresh produce as part of any cancer
16 treatment regimen. Coupon holders may redeem their coupons at
17 any participating food retailer. Farmers markets located in
18 "food deserts" and grocery stores that accept Supplemental
19 Nutrition Assistance Program benefits may participate in the
20 program as designated retailers that accept Prescription
21 Produce Program coupons. The Department may provide incentives
22 to solicit food retailers to participate in the program. The
23 Department may adopt any rules necessary to implement the
24 program.