



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5253

Introduced 1/31/2022, by Rep. Keith R. Wheeler

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356e

from Ch. 73, par. 968e

Amends the Illinois Insurance Code. In provisions concerning victims of certain offenses, removes language providing that any insurance carrier shall upon reasonable demand by the Department of Public Health disclose the names and identities of its insureds entitled to benefits to the Department whenever the Department has determined that it has paid, or is about to pay, hospital or medical expenses for which an insurance carrier is liable. Removes language providing that whenever the Department finds that it has paid all or part of any hospital or medical expenses which an insurance carrier is obligated to pay, the Department shall be entitled to receive reimbursement for its payments from such insurance carrier provided that the Department has notified the insurance carrier of its claims before the carrier has paid such benefits to its insureds or in behalf of its insureds.

LRB102 25486 BMS 34774 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 changing Section 356e as follows:

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

7 Sec. 356e. Victims of certain offenses.

8 (1) No policy of accident and health insurance, which
9 provides benefits for hospital or medical expenses based upon
10 the actual expenses incurred, delivered or issued for delivery
11 to any person in this State shall contain any specific
12 exception to coverage which would preclude the payment under
13 that policy of actual expenses incurred in the examination and
14 testing of a victim of an offense defined in Sections 11-1.20
15 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of
16 1961 or the Criminal Code of 2012, or an attempt to commit such
17 offense to establish that sexual contact did occur or did not
18 occur, and to establish the presence or absence of sexually
19 transmitted disease or infection, and examination and
20 treatment of injuries and trauma sustained by a victim of such
21 offense arising out of the offense. Every policy of accident
22 and health insurance which specifically provides benefits for
23 routine physical examinations shall provide full coverage for

1 expenses incurred in the examination and testing of a victim
2 of an offense defined in Sections 11-1.20 through 11-1.60 or
3 12-13 through 12-16 of the Criminal Code of 1961 or the
4 Criminal Code of 2012, or an attempt to commit such offense as
5 set forth in this Section. This Section shall not apply to a
6 policy which covers hospital and medical expenses for
7 specified illnesses or injuries only.

8 (2) (Blank). ~~For purposes of enabling the recovery of~~
9 ~~State funds, any insurance carrier subject to this Section~~
10 ~~shall upon reasonable demand by the Department of Public~~
11 ~~Health disclose the names and identities of its insureds~~
12 ~~entitled to benefits under this provision to the Department of~~
13 ~~Public Health whenever the Department of Public Health has~~
14 ~~determined that it has paid, or is about to pay, hospital or~~
15 ~~medical expenses for which an insurance carrier is liable~~
16 ~~under this Section. All information received by the Department~~
17 ~~of Public Health under this provision shall be held on a~~
18 ~~confidential basis and shall not be subject to subpoena and~~
19 ~~shall not be made public by the Department of Public Health or~~
20 ~~used for any purpose other than that authorized by this~~
21 ~~Section.~~

22 (3) (Blank). ~~Whenever the Department of Public Health~~
23 ~~finds that it has paid all or part of any hospital or medical~~
24 ~~expenses which an insurance carrier is obligated to pay under~~
25 ~~this Section, the Department of Public Health shall be~~
26 ~~entitled to receive reimbursement for its payments from such~~

1 ~~insurance carrier provided that the Department of Public~~
2 ~~Health has notified the insurance carrier of its claims before~~
3 ~~the carrier has paid such benefits to its insureds or in behalf~~
4 ~~of its insureds.~~

5 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)