



Sen. Sue Rezin

**Filed: 4/13/2021**

10200SB1365sam001

LRB102 11139 RJF 24883 a

1 AMENDMENT TO SENATE BILL 1365

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1365 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Employees Group Insurance Act of  
5 1971 is amended by adding Section 6.17 as follows:

6 (5 ILCS 375/6.17 new)

7 Sec. 6.17. Waiver application prohibitions.

8 (a) Notwithstanding any other law to the contrary, except  
9 as specified in subsection (b), the State shall not apply for  
10 any federal waiver that would reduce or eliminate any  
11 protection or coverage required under the Patient Protection  
12 and Affordable Care Act (Public Law 111-148) that was in  
13 effect on January 1, 2017, including, but not limited to, any  
14 protection for persons with pre-existing conditions and  
15 coverage for services identified as essential health benefits  
16 under the Patient Protection and Affordable Care Act.

1       (b) The State or an agency of the executive branch may  
2 apply for such a waiver only if the General Assembly, by joint  
3 resolution approved by a majority of each chamber prior to the  
4 submission of such a waiver application to the U.S. Department  
5 of Health and Human Services, authorizes the State or an  
6 agency of the executive branch to apply for such a federal  
7 waiver.

8       Section 10. The Illinois Insurance Code is amended by  
9 adding Section 356z.43 as follows:

10       (215 ILCS 5/356z.43 new)

11       Sec. 356z.43. Waiver application prohibitions.

12       (a) Notwithstanding any other law to the contrary, except  
13 as specified in subsection (b), the State shall not apply for  
14 any federal waiver that would permit an individual or group  
15 health insurance plan to reduce or eliminate any protection or  
16 coverage required under the Patient Protection and Affordable  
17 Care Act (Public Law 111-148) that was in effect on January 1,  
18 2017, including, but not limited to, any protection for  
19 persons with pre-existing conditions and coverage for services  
20 identified as essential health benefits under the Patient  
21 Protection and Affordable Care Act.

22       (b) The State or an agency of the executive branch may  
23 apply for such a waiver only if the General Assembly, by joint  
24 resolution approved by a majority of each chamber prior to the

1 submission of such a waiver application to the U.S. Department  
2 of Health and Human Services, authorizes the State or an  
3 agency of the executive branch to apply for such a federal  
4 waiver.

5 Section 15. The Illinois Public Aid Code is amended by  
6 adding Section 5-41 as follows:

7 (305 ILCS 5/5-41 new)

8 Sec. 5-41. Waiver application prohibitions.

9 (a) Notwithstanding any other law, except as specified in  
10 subsection (b), the State or an agency of the executive branch  
11 shall not apply for any federal Medicaid waiver that would  
12 result in more restrictive standards, methodologies,  
13 procedures, or other requirements than those that were in  
14 effect in Illinois as of January 1, 2017 for: (i) the Medical  
15 Assistance Program, as authorized under this Code and Title  
16 XIX of the Social Security Act; (ii) the Children's Health  
17 Insurance Program, as authorized under the Children's Health  
18 Insurance Program Act and Title XXI of the Social Security  
19 Act; or (iii) any other medical assistance program in Illinois  
20 that is operating under any existing federal waiver authorized  
21 under Section 1115 or Section 1915 of the Social Security Act.

22 (b) The State or an agency of the executive branch may  
23 apply for such a waiver only if the General Assembly, by joint  
24 resolution approved by a majority of each chamber prior to the

1 submission of such a waiver application to the U.S. Department  
2 of Health and Human Services, authorizes the State or an  
3 agency of the executive branch to apply for such a federal  
4 waiver.

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.".