

1 AN ACT concerning employment.

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

4 Section 5. The Public Safety Employee Benefits Act is  
5 amended by changing Section 10 as follows:

6 (820 ILCS 320/10)

7 Sec. 10. Required health coverage benefits.

8 (a) An employer who employs a full-time law enforcement,  
9 correctional or correctional probation officer, or  
10 firefighter, who, on or after the effective date of this Act  
11 suffers a catastrophic injury or is killed in the line of duty  
12 shall pay the entire premium of the employer's health  
13 insurance plan for the injured employee, the injured  
14 employee's spouse, and for each dependent child of the injured  
15 employee until the child reaches the age of majority or until  
16 the end of the calendar year in which the child reaches the age  
17 of 25 if the child continues to be dependent for support or the  
18 child is a full-time or part-time student and is dependent for  
19 support. An individual whose entire premium is paid in  
20 accordance with this Section shall be offered by the employer  
21 the choice of any health insurance plan available to currently  
22 employed full-time law enforcement, correctional or  
23 correctional probation officers, or firefighters. For purposes

1 of plans administered under the State Employee Group Insurance  
2 Act of 1971, changes in coverage may only be elected during  
3 open enrollment or following a qualifying event. The term  
4 "health insurance plan" does not include supplemental benefits  
5 that are not part of the basic group health insurance plan. If  
6 the injured employee subsequently dies, the employer shall  
7 continue to pay the entire health insurance premium for the  
8 surviving spouse until remarried and for the dependent  
9 children under the conditions established in this Section.

10 However:

11 (1) Health insurance benefits payable from any other  
12 source shall reduce benefits payable under this Section.

13 (2) It is unlawful for a person to willfully and  
14 knowingly make, or cause to be made, or to assist,  
15 conspire with, or urge another to make, or cause to be  
16 made, any false, fraudulent, or misleading oral or written  
17 statement to obtain health insurance coverage as provided  
18 under this Section. A violation of this item is a Class A  
19 misdemeanor.

20 (3) Upon conviction for a violation described in item  
21 (2), a law enforcement, correctional or correctional  
22 probation officer, or other beneficiary who receives or  
23 seeks to receive health insurance benefits under this  
24 Section shall forfeit the right to receive health  
25 insurance benefits and shall reimburse the employer for  
26 all benefits paid due to the fraud or other prohibited

1 activity. For purposes of this item, "conviction" means a  
2 determination of guilt that is the result of a plea or  
3 trial, regardless of whether adjudication is withheld.

4 (b) In order for the law enforcement, correctional or  
5 correctional probation officer, firefighter, spouse, or  
6 dependent children to be eligible for insurance coverage under  
7 this Act, the injury or death must have occurred as the result  
8 of the officer's response to fresh pursuit, the officer or  
9 firefighter's response to what is reasonably believed to be an  
10 emergency, an unlawful act perpetrated by another, or during  
11 the investigation of a criminal act. Nothing in this Section  
12 shall be construed to limit health insurance coverage or  
13 pension benefits for which the officer, firefighter, spouse,  
14 or dependent children may otherwise be eligible.

15 (Source: P.A. 90-535, eff. 11-14-97.)