

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 State Employees Group Insurance Act of 1971  
5 is amended by changing Section 6.11 as follows:

6 (5 ILCS 375/6.11)

7 Sec. 6.11. Required health benefits; Illinois Insurance  
8 Code requirements. The program of health benefits shall  
9 provide the post-mastectomy care benefits required to be  
10 covered by a policy of accident and health insurance under  
11 Section 356t of the Illinois Insurance Code. The program of  
12 health benefits shall provide the coverage required under  
13 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x,  
14 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,  
15 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,  
16 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32,  
17 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,  
18 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59,  
19 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68,  
20 and 356z.70 of the Illinois Insurance Code. The program of  
21 health benefits must comply with Sections 155.22a, 155.37,  
22 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the  
23 Illinois Insurance Code. The program of health benefits shall

1 provide the coverage required under Section 356m of the  
2 Illinois Insurance Code and, for the employees of the State  
3 Employee Group Insurance Program only, the coverage as also  
4 provided in Section 6.11B of this Act. The Department of  
5 Insurance shall enforce the requirements of this Section with  
6 respect to Sections 370c and 370c.1 of the Illinois Insurance  
7 Code; all other requirements of this Section shall be enforced  
8 by the Department of Central Management Services.

9 Rulemaking authority to implement Public Act 95-1045, if  
10 any, is conditioned on the rules being adopted in accordance  
11 with all provisions of the Illinois Administrative Procedure  
12 Act and all rules and procedures of the Joint Committee on  
13 Administrative Rules; any purported rule not so adopted, for  
14 whatever reason, is unauthorized.

15 (Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22;  
16 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff.  
17 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768,  
18 eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22;  
19 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff.  
20 1-1-23; 102-1117, eff. 1-13-23; 103-8, eff. 1-1-24; 103-84,  
21 eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24;  
22 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff.  
23 8-11-23; revised 8-29-23.)

24 Section 10. The Illinois Insurance Code is amended by  
25 changing Section 356z.5 as follows:

1 (215 ILCS 5/356z.5)

2 Sec. 356z.5. Prescription inhalants.

3 (a) In this Section, "prescription inhaler" means a  
4 prescribed medical device that delivers inhaled medications  
5 used to treat breathing for persons suffering from asthma or  
6 other life-threatening bronchial ailments. "Prescription  
7 inhaler" includes metered-dose inhalers, nebulizers, and dry  
8 powder inhalers. "Prescription inhaler" does not include  
9 inhalers available over the counter without a prescription to  
10 provide temporary relief from respiratory symptoms.

11 (b) A group or individual policy of accident and health  
12 insurance or managed care plan amended, delivered, issued, or  
13 renewed through December 31, 2025 ~~after the effective date of~~  
14 ~~this amendatory Act of the 93rd General Assembly~~ that provides  
15 coverage for prescription drugs may not deny or limit coverage  
16 for prescription inhalers ~~inhalants~~ to enable persons to  
17 breathe when suffering from asthma or other life-threatening  
18 bronchial ailments based upon any restriction on the number of  
19 days before an inhaler refill may be obtained if, contrary to  
20 those restrictions, the inhalants have been ordered or  
21 prescribed by the treating physician and are medically  
22 appropriate.

23 (c) A group or individual policy of accident and health  
24 insurance or managed care plan amended, delivered, issued, or  
25 renewed on or after January 1, 2026 that provides coverage for

1 prescription drugs may not deny or limit, except as otherwise  
2 provided in this subsection, coverage for prescription  
3 inhalers to enable persons to breathe when suffering from  
4 asthma or other life-threatening bronchial ailments based upon  
5 any restriction on the number of days before an inhaler refill  
6 may be obtained if, contrary to those restrictions, the  
7 inhalants have been ordered or prescribed by the treating  
8 physician and are medically appropriate. A group or individual  
9 policy of accident and health insurance or managed care plan  
10 subject to this subsection shall limit the total amount that a  
11 covered person is required to pay for a covered prescription  
12 inhaler to an amount not to exceed \$25 dollars per 30-day  
13 supply.

14 (d) Nothing in this Section prevents a group or individual  
15 policy of accident and health insurance or managed care plan  
16 from reducing a covered person's cost sharing to an amount  
17 less than the amount specified in subsection (c).

18 (e) Coverage for prescription inhalers shall not be  
19 subject to any deductible; except that this provision does not  
20 apply to the extent such coverage would disqualify a  
21 high-deductible health plan from eligibility for a health  
22 savings account pursuant to Section 223 of the Internal  
23 Revenue Code (26 U.S.C. 223).

24 (f) The Department may adopt rules necessary to implement  
25 and administer this Section and to align with federal  
26 requirements. The Department may use any of its enforcement

1 powers to obtain a group or individual policy of accident and  
2 health insurance's or managed care plan's compliance with this  
3 Section.

4 (Source: P.A. 95-331, eff. 8-21-07.)