

1 AN ACT concerning health.

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 adding Section 356z.71 as follows:

6 (215 ILCS 5/356z.71 new)

7 Sec. 356z.71. Coverage for home test kits for sexually
8 transmitted infections (STIs).

9 (a) As used in this Section, "home test kit" means a
10 product used for a test recommended by the federal Centers for
11 Disease Control and Prevention guidelines or the United States
12 Preventive Services Task Force that has received a certificate
13 of waiver under the Clinical Laboratory Improvement Amendments
14 to the federal Public Health Services Act, has been cleared or
15 approved by the United States Food and Drug Administration, or
16 has been developed by a laboratory in accordance with
17 established regulations and quality standards, to allow
18 individuals to self-collect specimens for STIs, including HIV,
19 remotely at a location outside of a clinical setting.

20 (b) An individual or group policy of accident and health
21 insurance amended, delivered, issued, or renewed in this State
22 after January 1, 2026 shall provide coverage for home test
23 kits for sexually transmitted infections, including any

1 laboratory costs of processing the kit, that are deemed
2 medically necessary or appropriate and ordered directly by a
3 clinician for patient use based on clinical guidelines and
4 individual patient health needs.

5 (1) A commercial health care plan is required to cover
6 the services outlined in this subsection when ordered for
7 an enrollee by an in-network provider.

8 (2) Except as otherwise provided in this subsection, a
9 policy subject to this subsection shall not impose a
10 deductible, coinsurance, copayment, or any other
11 cost-sharing requirement on the coverage provided. The
12 provisions of this subsection do not apply to coverage of
13 procedures to the extent such coverage would disqualify a
14 high-deductible health plan from eligibility for a health
15 savings account pursuant to the federal Internal Revenue
16 Code, 26 U.S.C. 223.

17 (3) Except as otherwise authorized under this Section,
18 a policy shall not impose any restrictions or delays on
19 the coverage required under this Section.

20 (4) If a plan or issuer uses a network of providers,
21 nothing in this Section shall be construed to require
22 coverage or to prohibit the plan or issuer from imposing
23 cost-sharing for items or services described in this
24 Section that are provided or delivered by an
25 out-of-network provider, unless the plan or issuer does
26 not have in its network a provider who is able to or is

1 willing to provide the applicable items or services.

2 Section 10. The Illinois Public Aid Code is amended by
3 changing Section 5-16.8 as follows:

4 (305 ILCS 5/5-16.8)

5 Sec. 5-16.8. Required health benefits. The medical
6 assistance program shall (i) provide the post-mastectomy care
7 benefits required to be covered by a policy of accident and
8 health insurance under Section 356t and the coverage required
9 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,
10 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,
11 356z.47, 356z.51, 356z.53, 356z.56, 356z.59, 356z.60, ~~and~~
12 356z.61, 356z.64, 356z.67, and 356z.71 of the Illinois
13 Insurance Code, (ii) be subject to the provisions of Sections
14 356z.19, 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the
15 Illinois Insurance Code, and (iii) be subject to the
16 provisions of subsection (d-5) of Section 10 of the Network
17 Adequacy and Transparency Act.

18 The Department, by rule, shall adopt a model similar to
19 the requirements of Section 356z.39 of the Illinois Insurance
20 Code.

21 On and after July 1, 2012, the Department shall reduce any
22 rate of reimbursement for services or other payments or alter
23 any methodologies authorized by this Code to reduce any rate
24 of reimbursement for services or other payments in accordance

1 with Section 5-5e.

2 To ensure full access to the benefits set forth in this
3 Section, on and after January 1, 2016, the Department shall
4 ensure that provider and hospital reimbursement for
5 post-mastectomy care benefits required under this Section are
6 no lower than the Medicare reimbursement rate.

7 (Source: P.A. 102-30, eff. 1-1-22; 102-144, eff. 1-1-22;
8 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-530, eff.
9 1-1-22; 102-642, eff. 1-1-22; 102-804, eff. 1-1-23; 102-813,
10 eff. 5-13-22; 102-816, eff. 1-1-23; 102-1093, eff. 1-1-23;
11 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff.
12 1-1-24; 103-420, eff. 1-1-24; revised 12-15-23.)

13 Section 15. The AIDS Confidentiality Act is amended by
14 adding Section 5.6 as follows:

15 (410 ILCS 305/5.6 new)

16 Sec. 5.6. Illinois AIDS Drug Assistance Program.

17 (a) The purpose of this Section is to expand and assist
18 with implementation of the Rapid Start for HIV treatment
19 model. The pilot sites will allow the development of a
20 coordinated system of health care services to provide timely
21 and quality HIV treatment. This will occur by increasing the
22 capacity of the Department of Public Health and build toward
23 establishing the Rapid Start model as the standard of care for
24 HIV treatment. This program shall be known as the Illinois

1 AIDS Drug Assistance Program or Illinois ADAP.

2 (b) In this Section:

3 "Conditional approval" means Illinois ADAP approval within
4 one business day after submission of documentation of Illinois
5 residency, a program agreement form, and an attestation of
6 remaining eligibility requirements.

7 "Rapid Start for HIV Treatment" means initiating
8 antiretroviral therapy within 7 days after initial diagnosis
9 or within 7 days after referral to HIV medical care as defined
10 by the Centers for Disease Control and Prevention
11 recommendations for HIV treatment.

12 (c) Beginning January 1, 2026, Illinois ADAP shall
13 establish a pathway for conditional approval of Illinois ADAP
14 enrollment for new applicants seeking to enter or reenter
15 medical care. Applicants receiving conditional approval on or
16 after January 1, 2026 will have 30 days to submit a complete
17 Illinois ADAP application, addressing all remaining
18 eligibility requirements.

19 (d) The Department of Public Health shall establish one
20 Rapid Start for HIV Treatment pilot site per HIV Care Connect
21 Region. The Department may implement processes and adopt rules
22 to implement this pilot program in accordance with industry
23 standards informed by the most current Centers for Disease
24 Control and Prevention and Health Resources and Services
25 Administration guidance on HIV care and treatment.

26 (e) The pilot sites shall abide by the following

1 principles:

2 (1) Nothing About Us Without Us: Pilot site programs
3 and services shall be formulated with transparency,
4 community involvement, and direct ongoing input by people
5 living with and vulnerable to HIV.

6 (2) Equity: Pilot site programs and services shall
7 provide equitable support, services, and resources to all
8 participants and ensure accessibility to the greatest
9 extent possible.

10 (3) Self-Determination: Pilot site programs and
11 services shall prioritize individual dignity and autonomy
12 in decision-making while encouraging people to connect
13 with additional services that promote health and
14 well-being.

15 (4) Reduce Stigma: Pilot site programs and services
16 shall affirm the humanity and dignity of people living
17 with or vulnerable to HIV and shall operate in a way that
18 is welcoming to reduce stigma and build trust.

19 (5) Safe Spaces: Pilot site programs and services
20 shall prioritize relationship-building and trust among
21 partners, staff, and participants to create safe spaces.

22 (f) The Department shall compile reports from each of the
23 pilot sites on the operation of the pilot program upon
24 completion of the pilot period. The Department shall share a
25 comprehensive report summarizing the findings of the pilot
26 period with the General Assembly and the Governor's Office and

1 shall make it publicly available on its Internet website. The
2 report may include:

3 (1) the number offers made for enrollment;

4 (2) the number of enrolled participants;

5 (3) the number and reasons of patients declined for
6 service, when available; and

7 (4) the length of time from initial diagnosis or
8 referral to the start of HIV treatment, and, when
9 available, the length of time participants were able to
10 achieve an undetectable viral load.

11 Data shall also include demographic data on the race,
12 ethnicity, age, sex, disability status, sexual orientation,
13 gender identity, and primary or preferred language of program
14 participants in accordance with the Data Governance and
15 Organization to Support Equity and Racial Justice Act. The
16 reports shall inform the Department's decisions concerning the
17 continued operation of the Rapid Start for HIV treatment pilot
18 program and its expansion, modification, discontinuation, or
19 progress towards becoming the standard of care for HIV
20 treatment. The contents of the report shall be in accordance
21 with the AIDS Confidentiality Act.

22 Implementation of this Section is subject to
23 appropriations made to the Illinois Department of Public
24 Health for that purpose.

25 Section 20. The County Jail Act is amended by changing

1 Section 17.10 as follows:

2 (730 ILCS 125/17.10)

3 Sec. 17.10. Requirements in connection with HIV/AIDS.

4 (a) In each county other than Cook, during the medical
5 admissions exam, the warden of the jail, a correctional
6 officer at the jail, or a member of the jail medical staff must
7 provide the prisoner with appropriate written information
8 concerning human immunodeficiency virus (HIV) and acquired
9 immunodeficiency syndrome (AIDS). The Department of Public
10 Health and community-based organizations certified to provide
11 HIV/AIDS testing must provide these informational materials to
12 the warden at no cost to the county. The warden, a correctional
13 officer, or a member of the jail medical staff must inform the
14 prisoner of the option of being tested for infection with HIV
15 by a certified local community-based agency or other available
16 medical provider at no charge to the prisoner.

17 (b) In Cook County, during the medical admissions exam, an
18 employee of the Cook County Health & Hospitals System must
19 provide the prisoner with appropriate information in writing,
20 verbally or by video or other electronic means concerning
21 human immunodeficiency virus (HIV) and acquired
22 immunodeficiency syndrome (AIDS) and must also provide the
23 prisoner with option of testing for infection with HIV or any
24 other identified causative agent of AIDS, as well as
25 counseling in connection with such testing. The Cook County

1 Health & Hospitals System may provide the inmate with opt-out
2 human immunodeficiency virus (HIV) testing, as defined in
3 Section 4 of the AIDS Confidentiality Act, unless the inmate
4 refuses. If opt-out HIV testing is conducted, the Cook County
5 Health & Hospitals System shall place signs in English,
6 Spanish, and other languages as needed in multiple, highly
7 visible locations in the area where HIV testing is conducted
8 informing inmates that they will be tested for HIV unless they
9 refuse, and refusal or acceptance of testing shall be
10 documented in the inmate's medical record. Pre-test
11 information shall be provided to the inmate and informed
12 consent obtained from the inmate as required in subsection (q)
13 of Section 3 and Section 5 of the AIDS Confidentiality Act. The
14 Cook County Health & Hospitals System shall follow procedures
15 established by the Department of Public Health to conduct HIV
16 testing and testing to confirm positive HIV test results. All
17 aspects of HIV testing shall comply with the requirements of
18 the AIDS Confidentiality Act, including delivery of test
19 results, as determined by the Cook County Health & Hospitals
20 System in consultation with the Illinois Department of Public
21 Health. Nothing in this Section shall require the Cook County
22 Health & Hospitals System to offer HIV testing to inmates who
23 are known to be infected with HIV. The Department of Public
24 Health and community-based organizations certified to provide
25 HIV/AIDS testing may provide these informational materials to
26 the Bureau at no cost to the county. The testing provided under

1 this subsection (b) shall consist of a test approved by the
2 Illinois Department of Public Health to determine the presence
3 of HIV infection, based upon recommendations of the United
4 States Centers for Disease Control and Prevention. If the test
5 result is positive, a reliable supplemental test based upon
6 recommendations of the United States Centers for Disease
7 Control and Prevention shall be administered.

8 (b-5) The Department of Corrections shall include the
9 following information in the annual adult correctional
10 facility public inspection report for each county:

11 (1) whether the warden of the jail, a correctional
12 officer at the jail, or a member of the jail medical staff
13 provide the prisoner with appropriate written information
14 concerning HIV and AIDS during the medical admissions
15 exam;

16 (2) whether the warden, a correctional officer, or a
17 member of the jail medical staff informs the prisoner of
18 the option of being tested for infection with HIV by a
19 certified local community-based agency or other available
20 medical provider at no charge to the prisoner;

21 (3) whether the warden of the jail makes appropriate
22 written information or visual aids concerning HIV/AIDS
23 available to every visitor to the jail;

24 (4) for Cook County, whether an employee of the Cook
25 County Health and Hospitals System provides the prisoner
26 with appropriate information in writing, verbally, or by

1 video or other electronic means concerning HIV and AIDS
2 during the medical admissions exam; and

3 (5) for Cook County, whether an employee of the Cook
4 County Health and Hospitals System provides the prisoner
5 with the option of testing for infection with HIV or any
6 other identified causative agent of AIDS, as well as
7 counseling in connection with such testing.

8 The Department of Public Health and community-based
9 organizations certified to provide HIV/AIDS testing shall
10 provide these informational materials to the warden at no cost
11 to the office of the county sheriff.

12 (c) In each county, the warden of the jail must make
13 appropriate written information concerning HIV/AIDS available
14 to every visitor to the jail. This information must include
15 information concerning persons or entities to contact for
16 local counseling and testing. The Department of Public Health
17 and community-based organizations certified to provide
18 HIV/AIDS testing must provide these informational materials to
19 the warden at no cost to the office of the county sheriff.

20 (d) Implementation of this Section is subject to
21 appropriation.

22 (Source: P.A. 97-244, eff. 8-4-11; 97-323, eff. 8-12-11;
23 97-813, eff. 7-13-12; 98-1046, eff. 1-1-15.)