



Sen. Iris Y. Martinez

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09300HB0790sam001

LRB093 05462 AMC 51863 a

1 AMENDMENT TO HOUSE BILL 790

2 AMENDMENT NO. _____. Amend House Bill 790 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 changing Section 356z.4 as follows:

6 (215 ILCS 5/356z.4)

7 Sec. 356z.4. Coverage for contraceptives.

8 (a) An individual or group policy of accident and health
9 insurance amended, delivered, issued, or renewed in this State
10 after the effective date of this amendatory Act of the 93rd
11 General Assembly that provides coverage for outpatient
12 services and outpatient prescription drugs or devices must
13 provide coverage for the insured and any dependent of the
14 insured covered by the policy for all outpatient contraceptive
15 services and all outpatient contraceptive drugs and devices
16 approved by the Food and Drug Administration. Coverage required
17 under this Section may not impose any deductible, coinsurance,
18 waiting period, or other cost-sharing or limitation that is
19 greater than that required for any outpatient service or
20 outpatient prescription drug or device otherwise covered by the
21 policy.

22 (b) As used in this Section, "outpatient contraceptive
23 service" means consultations, examinations, procedures, and
24 medical services, provided on an outpatient basis and related

1 to the use of contraceptive methods (including natural family
2 planning) to prevent an unintended pregnancy.

3 (c) Nothing in this Section shall be construed to require
4 an insurance company to cover services related to an abortion
5 as the term "abortion" is defined in the Illinois Abortion Law
6 of 1975.

7 (d) Nothing in this Section shall be construed to require
8 an insurance company to cover services related to permanent
9 sterilization that requires a surgical procedure.

10 (e) Notwithstanding any other provision of this Section, a
11 religious employer may request a policy or plan without
12 coverage for outpatient contraceptive services and outpatient
13 prescription contraceptive drugs and devices that are contrary
14 to the documented tenets of the religious employer's religion.
15 If so requested, a plan or policy may be issued without
16 coverage for outpatient contraceptive services and outpatient
17 prescription contraceptive drugs or devices. This subsection
18 shall not be construed to deny an enrollee coverage of, and
19 timely access to, contraceptive methods.

20 Every religious employer that invokes the exemption
21 provided under this subsection shall provide written notice to
22 prospective enrollees prior to enrollment with the plan listing
23 the contraceptive health care services the employer refuses to
24 cover for religious reasons.

25 Nothing in this subsection shall be construed to exclude
26 coverage for prescription contraceptive drugs or devices
27 prescribed by a health care provider for reasons other than
28 contraceptive purposes, including but not limited to
29 decreasing the risk of ovarian cancer or eliminating the
30 symptoms of menopause, or for prescription contraception that
31 is necessary to preserve the life or health of an enrollee.

32 For the purposes of this subsection, a "religious employer"
33 is an entity for which each of the following is true:

34 (1) The inculcation of religious values is the purpose

1 of the entity.

2 (2) The entity primarily employs persons who share the
3 religious tenets of the entity.

4 (3) The entity serves primarily persons who share the
5 religious tenets of the entity.

6 (4) The entity is a nonprofit organization as described
7 in Section 6033(a)(2)(A)(i) or (iii) of the Internal
8 Revenue Code of 1986, as amended.

9 (Source: P.A. 93-102, eff. 1-1-04.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."