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09300HB6013ham001

LRB093 19669 WGH 49450 a

1 AMENDMENT TO HOUSE BILL 6013

2 AMENDMENT NO. _____. Amend House Bill 6013 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 adding Section 370e-1 as follows:

6 (215 ILCS 5/370e-1 new)

7 Sec. 370e-1. Physicians and hospitals; surcharge.
8 Notwithstanding any other provision of law, an individual or
9 group policy of accident and health insurance that is amended,
10 delivered, issued, or renewed on or after the effective date of
11 this amendatory Act of the 93rd General Assembly shall contain
12 provisions authorizing a physician or hospital to impose a
13 surcharge, in an amount to be determined by the physician or
14 hospital, to reasonably cover the cost of medical liability
15 insurance. Any such surcharge shall be itemized by the
16 physician or hospital separately from all other charges imposed
17 by the physician or hospital and shall be billed directly to
18 the insured. Any such surcharge shall be paid directly by the
19 insured to the physician or hospital. Any such surcharge shall
20 not be deemed to be a co-payment or deductible for any purpose,
21 and the company issuing the policy of accident and health
22 insurance shall not be responsible for paying the surcharge. If
23 any provision of this Section conflicts with any other
24 provision of this Code, this Section shall control.

1 Section 10. The Health Maintenance Organization Act is
2 amended by adding Section 5-7.2 as follows:

3 (215 ILCS 125/5-7.2 new)

4 Sec. 5-7.2. Physicians and hospitals; surcharge.
5 Notwithstanding any other provision of law, a contract or
6 evidence of coverage issued by a health maintenance
7 organization that is amended, delivered, issued, or renewed on
8 or after the effective date of this amendatory Act of the 93rd
9 General Assembly shall contain provisions authorizing a
10 physician or hospital to impose a surcharge, in an amount to be
11 determined by the physician or hospital, to reasonably cover
12 the cost of medical liability insurance. Any such surcharge
13 shall be itemized by the physician or hospital separately from
14 all other charges imposed by the physician or hospital and
15 shall be billed directly to the enrollee. Any such surcharge
16 shall be paid directly by the enrollee to the physician or
17 hospital. Any such surcharge shall not be deemed to be a
18 co-payment or deductible for any purpose, and the health
19 maintenance organization shall not be responsible for paying
20 the surcharge. If any provision of this Section conflicts with
21 any other provision of this Act, this Section shall control.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."