

1 AN ACT concerning public employee health benefits.

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
5 1971 is amended by adding Section 6.15 as follows:

6 (5 ILCS 375/6.15 new)

7 Sec. 6.15. Morbid obesity.

8 (a) Beginning on January 1, 2004, the program of health
9 benefits must provide benefits for the expenses of the
10 surgical treatment of morbid obesity for the following
11 individuals:

12 (1) individuals with a body-mass index equal to or
13 greater than 40 kilograms per meter squared;

14 (2) individuals with a body-mass index equal to or
15 greater than 35 kilograms per meter squared, with
16 comorbidities or coexisting medical conditions, such as
17 hypertension, cardiopulmonary conditions, sleep apnea, or
18 diabetes; and

19 (3) individuals who meet the guidelines for the
20 surgical treatment of morbid obesity as set forth by the
21 national institutes of health.

22 (b) The benefits provided under subsection (a) shall
23 include benefits for examinations and laboratory tests
24 performed in accordance with the guidelines of the national
25 institutes of health for the surgical treatment of morbid
26 obesity.

27 (c) The benefits provided under subsection (a) shall be
28 no less extensive than those provided for any other medically
29 necessary surgical procedure under the program of health
30 benefits and shall be subject to the same terms and
31 conditions, including copayment charges.

1 Section 10. The Counties Code is amended by adding
2 Section 5-1069.9 as follows:

3 (55 ILCS 5/5-1069.9 new)

4 Sec. 5-1069.9. Morbid obesity.

5 (a) If a county, including a home rule county, is a
6 self-insurer for purposes of providing health insurance
7 coverage for its employees, the coverage must provide
8 benefits for the expenses of the surgical treatment of morbid
9 obesity for the following individuals:

10 (1) individuals with a body-mass index equal to or
11 greater than 40 kilograms per meter squared;

12 (2) individuals with a body-mass index equal to or
13 greater than 35 kilograms per meter squared, with
14 comorbidities or coexisting medical conditions, such as
15 hypertension, cardiopulmonary conditions, sleep apnea, or
16 diabetes; and

17 (3) individuals who meet the guidelines for the
18 surgical treatment of morbid obesity as set forth by the
19 national institutes of health.

20 (b) The benefits provided under subsection (a) shall
21 include benefits for examinations and laboratory tests
22 performed in accordance with the guidelines of the national
23 institutes of health for the surgical treatment of morbid
24 obesity.

25 (c) The benefits provided under subsection (a) shall be
26 no less extensive than those provided for any other medically
27 necessary surgical procedure under the coverage and shall be
28 subject to the same terms and conditions, including copayment
29 charges.

30 (d) The requirement that health benefits be covered as
31 provided in this Section is an exclusive power and function
32 of the State and is a denial and limitation under Article
33 VII, Section 6, subsection (h) of the Illinois Constitution.

1 A home rule county to which this Section applies must comply
2 with every provision of this Section.

3 Section 15. The Illinois Municipal Code is amended by
4 adding Section 10-4-2.6 as follows:

5 (65 ILCS 5/10-4-2.6 new)

6 Sec. 10-4-2.6. Morbid obesity.

7 (a) If a municipality, including a home rule
8 municipality, is a self-insurer for purposes of providing
9 health insurance coverage for its employees, the coverage
10 must provide benefits for the expenses of the surgical
11 treatment of morbid obesity for the following individuals:

12 (1) individuals with a body-mass index equal to or
13 greater than 40 kilograms per meter squared;

14 (2) individuals with a body-mass index equal to or
15 greater than 35 kilograms per meter squared, with
16 comorbidities or coexisting medical conditions, such as
17 hypertension, cardiopulmonary conditions, sleep apnea, or
18 diabetes; and

19 (3) individuals who meet the guidelines for the
20 surgical treatment of morbid obesity as set forth by the
21 national institutes of health.

22 (b) The benefits provided under subsection (a) shall
23 include benefits for examinations and laboratory tests
24 performed in accordance with the guidelines of the national
25 institutes of health for the surgical treatment of morbid
26 obesity.

27 (c) The benefits provided under subsection (a) shall be
28 no less extensive than those provided for any other medically
29 necessary surgical procedure under the coverage and shall be
30 subject to the same terms and conditions, including copayment
31 charges.

32 (d) The requirement that health benefits be covered as

1 provided in this Section is an exclusive power and function
2 of the State and is a denial and limitation under Article
3 VII, Section 6, subsection (h) of the Illinois Constitution.
4 A home rule municipality to which this Section applies must
5 comply with every provision of this Section.

6 Section 95. The State Mandates Act is amended by adding
7 Section 8.27 as follows:

8 (30 ILCS 805/8.27 new)

9 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
10 and 8 of this Act, no reimbursement by the State is required
11 for the implementation of any mandate created by this
12 amendatory Act of the 93rd General Assembly.