



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Kimberly A. Lightford

**SYNOPSIS AS INTRODUCED:**

820 ILCS 320/10

Amends the Public Safety Employee Benefits Act. Defines the term "catastrophic injury" as an injury or disability (1) that is so severe that the injured employee is unemployable in any capacity or (2) that, when taken into account in combination with the injured employee's age, skills, training, and work history, makes the injured employee unable to perform any services for which there is a reasonably stable job market.

LRB093 18054 LRD 43741 b

1 AN ACT concerning public safety employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Public Safety Employee Benefits Act is  
5 amended by changing Section 10 as follows:

6 (820 ILCS 320/10)

7 Sec. 10. Required health coverage benefits.

8 (a) An employer who employs a full-time law enforcement,  
9 correctional or correctional probation officer, or  
10 firefighter, who, on or after the effective date of this Act  
11 suffers a catastrophic injury or is killed in the line of duty  
12 shall pay the entire premium of the employer's health insurance  
13 plan for the injured employee, the injured employee's spouse,  
14 and for each dependent child of the injured employee until the  
15 child reaches the age of majority or until the end of the  
16 calendar year in which the child reaches the age of 25 if the  
17 child continues to be dependent for support or the child is a  
18 full-time or part-time student and is dependent for support.  
19 For the purpose of this Section, the term "catastrophic injury"  
20 means an injury or disability (1) that is so severe that the  
21 injured employee is unemployable in any capacity or (2) that,  
22 when taken into account in combination with the injured  
23 employee's age, skills, training, and work history, makes the  
24 injured employee unable to perform any services for which there  
25 is a reasonably stable job market. The term "health insurance  
26 plan" does not include supplemental benefits that are not part  
27 of the basic group health insurance plan. If the injured  
28 employee subsequently dies, the employer shall continue to pay  
29 the entire health insurance premium for the surviving spouse  
30 until remarried and for the dependent children under the  
31 conditions established in this Section. However:

32 (1) Health insurance benefits payable from any other

1 source shall reduce benefits payable under this Section.

2 (2) It is unlawful for a person to willfully and  
3 knowingly make, or cause to be made, or to assist, conspire  
4 with, or urge another to make, or cause to be made, any  
5 false, fraudulent, or misleading oral or written statement  
6 to obtain health insurance coverage as provided under this  
7 Section. A violation of this item is a Class A misdemeanor.

8 (3) Upon conviction for a violation described in item  
9 (2), a law enforcement, correctional or correctional  
10 probation officer, or other beneficiary who receives or  
11 seeks to receive health insurance benefits under this  
12 Section shall forfeit the right to receive health insurance  
13 benefits and shall reimburse the employer for all benefits  
14 paid due to the fraud or other prohibited activity. For  
15 purposes of this item, "conviction" means a determination  
16 of guilt that is the result of a plea or trial, regardless  
17 of whether adjudication is withheld.

18 (b) In order for the law enforcement, correctional or  
19 correctional probation officer, firefighter, spouse, or  
20 dependent children to be eligible for insurance coverage under  
21 this Act, the injury or death must have occurred as the result  
22 of the officer's response to fresh pursuit, the officer or  
23 firefighter's response to what is reasonably believed to be an  
24 emergency, an unlawful act perpetrated by another, or during  
25 the investigation of a criminal act. Nothing in this Section  
26 shall be construed to limit health insurance coverage or  
27 pension benefits for which the officer, firefighter, spouse, or  
28 dependent children may otherwise be eligible.

29 (Source: P.A. 90-535, eff. 11-14-97.)