

HB0985



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0985

Introduced 2/3/2005, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

215 ILCS 97/25

Amends the Illinois Health Insurance Portability and Accountability Act. Makes a technical change in a Section prohibiting discrimination against individual participants.

LRB094 07927 LJB 38108 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Health Insurance Portability and
5 Accountability Act is amended by changing Section 25 as
6 follows:

7 (215 ILCS 97/25)

8 Sec. 25. Prohibiting discrimination against individual
9 participants.

10 (A) In eligibility to enroll.

11 (1) In general. Subject to paragraph (2), a group
12 health plan, and a health insurance issuer offering group
13 health insurance coverage in connection with a group health
14 plan, may not establish rules for eligibility (including
15 continued eligibility) of any individual to enroll under
16 the ~~the~~ terms of the plan based on any of the following
17 health status-related factors in relation to the
18 individual or a dependent of the individual:

19 (a) Health status.

20 (b) Medical condition (including both physical and
21 mental illnesses).

22 (c) Claims experience.

23 (d) Receipt of health care.

24 (e) Medical history.

25 (f) Genetic information.

26 (g) Evidence of insurability (including conditions
27 arising out of acts of domestic violence).

28 (h) Disability.

29 (2) No application to benefits or exclusions. To the
30 extent consistent with Section 20, the provisions of
31 paragraph (1) shall not be construed:

32 (a) to require a group health plan, or group health

1 insurance coverage, to provide particular benefits
2 other than those provided under the terms of such plan
3 or coverage; or

4 (b) to prevent such a plan or coverage from
5 establishing limitations or restrictions on the
6 amount, level, extent, or nature of the benefits or
7 coverage for similarly situated individuals enrolled
8 in the plan or coverage.

9 (3) Construction. For purposes of paragraph (1), rules
10 for eligibility to enroll under a plan include rules
11 defining any applicable waiting periods for such
12 enrollment.

13 (B) In premium contributions.

14 (1) In general. A group health plan, and a health
15 insurance issuer offering health insurance coverage in
16 connection with a group health plan, may not require any
17 individual (as a condition of enrollment or continued
18 enrollment under the plan) to pay a premium or contribution
19 which is greater than such premium or contribution for a
20 similarly situated individual enrolled in the plan on the
21 basis of any health status-related factor in relation to
22 the individual or to an individual enrolled under the plan
23 as a dependent of the individual.

24 (2) Construction. Nothing in paragraph (1) shall be
25 construed:

26 (a) to restrict the amount that an employer may be
27 charged for coverage under a group health plan; or

28 (b) to prevent a group health plan, and a health
29 insurance issuer offering group health insurance
30 coverage, from establishing premium discounts or
31 rebates or modifying otherwise applicable copayments
32 or deductibles in return for adherence to programs of
33 health promotion and disease prevention.

34 (Source: P.A. 90-30, eff. 7-1-97.)