HB5285AVM001 LRB095 17860 RPM 52346 v

1   MOTION

2   I move to accept the specific recommendations of the

3 Governor as to House Bill 5285 in manner and form as follows:

4   AMENDMENT TO HOUSE BILL 5285

5   IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

6   Amend House Bill 5285 as follows:

7 on page 1, line 14, by replacing "and 356z.11" with "356z.11,

8 and 356z.12"; and

9 on page 2, line 8, by replacing "and 356z.11" with "356z.11,

10 and 356z.12"; and

11 on page 3, line 3, by replacing "and 356z.11" with "356z.11,

12 and 356z.12"; and

13 on page 3, line 20, by replacing "and 356z.11" with "356z.11,

14 and 356z.12"; and

15 on page 4, line 1, by replacing "Section 356z.11" with "Section

16 356z.11 and Section 356z.12"; and

17 on page 4, immediately below line 25, by inserting the

18 following:

1   "(215 ILCS 5/356z.12 new)

2   Sec. 356z.12. Dependent coverage.

3   (a) A group or individual policy of accident and health

4   insurance or managed care plan that provides coverage for

5   dependents and that is amended, delivered, issued, or renewed

6   after the effective date of this amendatory Act of the 95th

7   General Assembly shall not terminate coverage or deny the

8   election of coverage for an unmarried dependent by reason of

9   the dependent's age before the dependent's 26th birthday.

10   (b) A policy or plan subject to this Section shall, upon

11 amendment, delivery, issuance, or renewal, establish an

12 initial enrollment period of not less than 90 days during which

13 an insured may make a written election for coverage of an

14 unmarried person as a dependent under this Section. After the

15 initial enrollment period, enrollment by a dependent pursuant

16 to this Section shall be consistent with the enrollment terms

17 of the plan or policy.

18   (c) A policy or plan subject to this Section shall allow

19 for dependent coverage during the annual open enrollment date

20 or the annual renewal date if the dependent, as of the date on

21 which the insured elects dependent coverage under this

22 subsection, has:

23   (1) a period of continuous creditable coverage of 90

24   days or more; and

25   (2) not been without creditable coverage for more than

26   63 days.

1   An insured may elect coverage for a dependent who does not meet

2   the continuous creditable coverage requirements of this

3   subsection (c) and that dependent shall not be denied coverage

4   due to age.

5   For purposes of this subsection (c), "creditable coverage"

6   shall have the meaning provided under subsection (C)(1) of

7   Section 20 of the Illinois Health Insurance Portability and

8   Accountability Act.

9   (d) Military personnel. A group or individual policy of

10 accident and health insurance or managed care plan that

11 provides coverage for dependents and that is amended,

12 delivered, issued, or renewed after the effective date of this

13 amendatory Act of the 95th General Assembly shall not terminate

14 coverage or deny the election of coverage for an unmarried

15 dependent by reason of the dependent's age before the

16 dependent's 30th birthday if the dependent (i) is an Illinois

17 resident, (ii) served as a member of the active or reserve

18 components of any of the branches of the Armed Forces of the

19 United States, and (iii) has received a release or discharge

20 other than a dishonorable discharge. To be eligible for

21 coverage under this subsection (d), the eligible dependent

22 shall submit to the insurer a form approved by the Illinois

23 Department of Veterans Affairs stating the date on which the

24 dependent was released from service.

25   (e) Calculation of the cost of coverage provided to an

26 unmarried dependent under this Section shall be identical.

1   (f) Nothing in this Section shall prohibit an employer from

2   requiring an employee to pay all or part of the cost of

3   coverage provided under this Section.

4   (g) No exclusions or limitations may be applied to coverage

5   elected pursuant to this Section that do not apply to all

6   dependents covered under the policy.

7   (h) A policy or plan subject to this Section shall not

8   condition eligibility for dependent coverage provided pursuant

9   to this Section on enrollment in any educational institution.

10   (i) Notice regarding coverage for a dependent as provided

11   pursuant to this Section shall be provided to an insured by the

12   insurer:

13   (1) upon application or enrollment;

14   (2) in the certificate of coverage or equivalent

15   document prepared for an insured and delivered on or about

16   the date on which the coverage commences; and

17   (3) in a notice delivered to an insured on a

18   semi-annual basis."; and

19   on page 5, line 10, by replacing "356z.11" with "356z.11,

20   356z.12"; and

21   on page 10, line 7, by replacing "356z.11" with "356z.11,

22   356z.12".

23   Date: _____, 2008   _____