



Health Care Availability and Access Committee

Filed: 5/13/2008

09500SB2486ham001

LRB095 17334 RPM 50691 a

1 AMENDMENT TO SENATE BILL 2486

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2486 as follows:

3 on page 2, by replacing lines 15 through 18 with the following:

4 "participation in a program, or demonstrative compliance with  
5 treatment recommendations as determined by the health insurer  
6 or managed care plan."; and

7 on page 3, line 3, by replacing "shall" with "must"; and

8 on page 3, immediately below line 8, by inserting the  
9 following:

10 "(e) A plan offering wellness coverage must do the  
11 following:

12 (i) give participants the opportunity to qualify for  
13 offered incentives at least once a year;

14 (ii) allow a reasonable alternative to any individual  
15 for whom it is unreasonably difficult, due to a medical

1 condition, to satisfy otherwise applicable wellness  
2 program standards. Plans may seek physician verification  
3 that health factors make it unreasonably difficult or  
4 medically inadvisable for the participant to satisfy the  
5 standards; and

6 (iii) not provide a total incentive that exceeds 20% of  
7 the cost of employee-only coverage. The cost of  
8 employee-only coverage includes both employer and employee  
9 contributions. For plans offering family coverage, the 20%  
10 limitation applies to cost of family coverage and applies  
11 to the entire family."; and

12 on page 3, line 9, by replacing "(e)" with "(f)"; and

13 on page 3, immediately below line 11, by inserting the  
14 following:

15 "(g) Notwithstanding any other rulemaking authority that  
16 may exist, neither the Governor nor any agency or agency head  
17 under the jurisdiction of the Governor has any authority to  
18 make or promulgate rules to implement or enforce the provisions  
19 of this amendatory Act of the 95th General Assembly. If,  
20 however, the Governor believes that rules are necessary to  
21 implement or enforce the provisions of this amendatory Act of  
22 the 95th General Assembly, the Governor may suggest rules to  
23 the General Assembly by filing them with the Clerk of the House  
24 and the Secretary of the Senate and by requesting that the

1 General Assembly authorize such rulemaking by law, enact those  
2 suggested rules into law, or take any other appropriate action  
3 in the General Assembly's discretion. Nothing contained in this  
4 amendatory Act of the 95th General Assembly shall be  
5 interpreted to grant rulemaking authority under any other  
6 Illinois statute where such authority is not otherwise  
7 explicitly given. For the purposes of this amendatory Act of  
8 the 95th General Assembly, "rules" is given the meaning  
9 contained in Section 1-70 of the Illinois Administrative  
10 Procedure Act, and "agency" and "agency head" are given the  
11 meanings contained in Sections 1-20 and 1-25 of the Illinois  
12 Administrative Procedure Act to the extent that such  
13 definitions apply to agencies or agency heads under the  
14 jurisdiction of the Governor."