



Rep. Mary E. Flowers

Filed: 3/26/2009

09600HB0528ham004

LRB096 06176 KTG 24375 a

1 AMENDMENT TO HOUSE BILL 528

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 528, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The State Employees Group Insurance Act of 1971  
6 is amended by changing Section 6.11 as follows:

7 (5 ILCS 375/6.11)

8 (Text of Section before amendment by P.A. 95-958)

9 Sec. 6.11. Required health benefits; Illinois Insurance  
10 Code requirements. The program of health benefits shall provide  
11 the post-mastectomy care benefits required to be covered by a  
12 policy of accident and health insurance under Section 356t of  
13 the Illinois Insurance Code. The program of health benefits  
14 shall provide the coverage required under Sections 356g.5,  
15 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.9, 356z.10,  
16 356z.13 ~~356z.11~~, ~~and~~ 356z.14, and 356z.15 of the Illinois

1 Insurance Code. The program of health benefits must comply with  
2 Section 155.37 of the Illinois Insurance Code.

3 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
4 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-978, eff.  
5 1-1-09; 95-1005, eff. 12-12-08; revised 12-15-08.)

6 (Text of Section after amendment by P.A. 95-958)

7 Sec. 6.11. Required health benefits; Illinois Insurance  
8 Code requirements. The program of health benefits shall provide  
9 the post-mastectomy care benefits required to be covered by a  
10 policy of accident and health insurance under Section 356t of  
11 the Illinois Insurance Code. The program of health benefits  
12 shall provide the coverage required under Sections 356g.5,  
13 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.9, 356z.10,  
14 356z.11, ~~and 356z.12, 356z.13~~ 356z.11, and 356z.14, and 356z.15  
15 of the Illinois Insurance Code. The program of health benefits  
16 must comply with Section 155.37 of the Illinois Insurance Code.  
17 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
18 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff.  
19 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; revised  
20 12-15-08.)

21 Section 10. The Counties Code is amended by changing  
22 Section 5-1069.3 as follows:

23 (55 ILCS 5/5-1069.3)

1 (Text of Section before amendment by P.A. 95-958)

2 Sec. 5-1069.3. Required health benefits. If a county,  
3 including a home rule county, is a self-insurer for purposes of  
4 providing health insurance coverage for its employees, the  
5 coverage shall include coverage for the post-mastectomy care  
6 benefits required to be covered by a policy of accident and  
7 health insurance under Section 356t and the coverage required  
8 under Sections 356g.5, 356u, 356w, 356x, 356z.6, 356z.9,  
9 356z.10, 356z.13 ~~356z.11~~, and 356z.14, and 356z.15 of the  
10 Illinois Insurance Code. The requirement that health benefits  
11 be covered as provided in this Section is an exclusive power  
12 and function of the State and is a denial and limitation under  
13 Article VII, Section 6, subsection (h) of the Illinois  
14 Constitution. A home rule county to which this Section applies  
15 must comply with every provision of this Section.

16 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
17 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-978, eff.  
18 1-1-09; 95-1005, eff. 12-12-08; revised 12-15-08.)

19 (Text of Section after amendment by P.A. 95-958)

20 Sec. 5-1069.3. Required health benefits. If a county,  
21 including a home rule county, is a self-insurer for purposes of  
22 providing health insurance coverage for its employees, the  
23 coverage shall include coverage for the post-mastectomy care  
24 benefits required to be covered by a policy of accident and  
25 health insurance under Section 356t and the coverage required

1 under Sections 356g.5, 356u, 356w, 356x, 356z.6, 356z.9,  
2 356z.10, 356z.11, ~~and 356z.12, 356z.13~~ 356z.11, and 356z.14,  
3 and 356z.15 of the Illinois Insurance Code. The requirement  
4 that health benefits be covered as provided in this Section is  
5 an exclusive power and function of the State and is a denial  
6 and limitation under Article VII, Section 6, subsection (h) of  
7 the Illinois Constitution. A home rule county to which this  
8 Section applies must comply with every provision of this  
9 Section.

10 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
11 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff.  
12 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; revised  
13 12-15-08.)

14 Section 15. The Illinois Municipal Code is amended by  
15 changing Section 10-4-2.3 as follows:

16 (65 ILCS 5/10-4-2.3)

17 (Text of Section before amendment by P.A. 95-958)

18 Sec. 10-4-2.3. Required health benefits. If a  
19 municipality, including a home rule municipality, is a  
20 self-insurer for purposes of providing health insurance  
21 coverage for its employees, the coverage shall include coverage  
22 for the post-mastectomy care benefits required to be covered by  
23 a policy of accident and health insurance under Section 356t  
24 and the coverage required under Sections 356g.5, 356u, 356w,

1 356x, 356z.6, 356z.9, 356z.10, 356z.13 ~~356z.11~~, ~~and~~ 356z.14,  
2 and 356z.15 of the Illinois Insurance Code. The requirement  
3 that health benefits be covered as provided in this is an  
4 exclusive power and function of the State and is a denial and  
5 limitation under Article VII, Section 6, subsection (h) of the  
6 Illinois Constitution. A home rule municipality to which this  
7 Section applies must comply with every provision of this  
8 Section.

9 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
10 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-978, eff.  
11 1-1-09; 95-1005, eff. 12-12-08; revised 12-15-08.)

12 (Text of Section after amendment by P.A. 95-958)

13 Sec. 10-4-2.3. Required health benefits. If a  
14 municipality, including a home rule municipality, is a  
15 self-insurer for purposes of providing health insurance  
16 coverage for its employees, the coverage shall include coverage  
17 for the post-mastectomy care benefits required to be covered by  
18 a policy of accident and health insurance under Section 356t  
19 and the coverage required under Sections 356g.5, 356u, 356w,  
20 356x, 356z.6, 356z.9, 356z.10, 356z.11, ~~and~~ 356z.12, 356z.13  
21 ~~356z.11~~, ~~and~~ 356z.14, and 356z.15 of the Illinois Insurance  
22 Code. The requirement that health benefits be covered as  
23 provided in this is an exclusive power and function of the  
24 State and is a denial and limitation under Article VII, Section  
25 6, subsection (h) of the Illinois Constitution. A home rule

1 municipality to which this Section applies must comply with  
2 every provision of this Section.

3 (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07;  
4 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff.  
5 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; revised  
6 12-15-08.)

7 Section 20. The Illinois Insurance Code is amended by  
8 adding Section 356z.15 as follows:

9 (215 ILCS 5/356z.15 new)

10 Sec. 356z.15. Hospital patient assessments. A group or  
11 individual policy of accident and health insurance or managed  
12 care plan amended, delivered, issued, or renewed after the  
13 effective date of this amendatory Act of the 96th General  
14 Assembly that provides coverage for hospital care shall include  
15 in that coverage all services ordered by a physician and  
16 provided in the hospital that are considered medically  
17 necessary for the evaluation, assessment, and diagnosis of the  
18 illness or condition that resulted in the hospital stay of the  
19 enrollee or recipient. Such services are subject to reasonable  
20 review and utilization standards required by the policy or plan  
21 for all hospital services, as defined by the Division of  
22 Insurance of the Illinois Department of Financial and  
23 Professional Regulation, or its successor agency.

1 Section 25. The Illinois Public Aid Code is amended by  
2 changing Section 5-16.8 as follows:

3 (305 ILCS 5/5-16.8)

4 Sec. 5-16.8. Required health benefits. The medical  
5 assistance program shall (i) provide the post-mastectomy care  
6 benefits required to be covered by a policy of accident and  
7 health insurance under Section 356t and the coverage required  
8 under Sections 356g.5, 356u, 356w, 356x, ~~and~~ 356z.6, and  
9 356z.15 of the Illinois Insurance Code and (ii) be subject to  
10 the provisions of Section 364.01 of the Illinois Insurance  
11 Code.

12 (Source: P.A. 95-189, eff. 8-16-07; 95-331, eff. 8-21-07.)

13 Section 30. The Medical Patient Rights Act is amended by  
14 changing Sections 2.04 and 5 and adding Sections 5.1 and 5.2 as  
15 follows:

16 (410 ILCS 50/2.04) (from Ch. 111 1/2, par. 5402.04)

17 Sec. 2.04. "Insurance company" means (1) an insurance  
18 company, fraternal benefit society, and any other insurer  
19 subject to regulation under the Illinois Insurance Code; or (2)  
20 a health maintenance organization, a limited health service  
21 organization under the Limited Health Service Organization  
22 Act, or a voluntary health services plan under the Voluntary  
23 Health Services Plans Act.

1 (Source: P.A. 85-677; 85-679.)

2 (410 ILCS 50/5)

3 Sec. 5. Statement of hospital patient's rights.

4 (a) Each patient admitted to a hospital, and the guardian  
5 or authorized representative or parent of a minor patient,  
6 shall be given a written statement of all the rights enumerated  
7 in this Act, or a similar statement of patients' rights  
8 required of the hospital by the Joint Commission on  
9 Accreditation of Healthcare Organizations or a similar  
10 accrediting organization. The statement shall be given at the  
11 time of admission or as soon thereafter as the condition of the  
12 patient permits.

13 (b) If a patient is unable to read the written statement, a  
14 hospital shall make a reasonable effort to provide it to the  
15 guardian or authorized representative of the patient.

16 (c) The statement shall also include the right not to be  
17 discriminated against by the hospital due to the patient's  
18 race, color, or national origin where such characteristics are  
19 not relevant to the patient's medical diagnosis and treatment.  
20 The statement shall further provide each admitted patient or  
21 the patient's representative or guardian with notice of how to  
22 initiate a grievance regarding improper discrimination with  
23 the hospital and how the patient may lodge a grievance with the  
24 Illinois Department of Public Health regardless of whether the  
25 patient has first used the hospital's grievance process.



1 (Source: P.A. 88-56; 88-670, eff. 12-2-94.)

2 (410 ILCS 50/5.1 new)

3 Sec. 5.1. Discrimination grievance procedures. Upon  
4 receipt of a grievance alleging unlawful discrimination on the  
5 basis of race, color, or national origin, the hospital must  
6 investigate the claim and work with the patient to address  
7 valid or proven concerns in accordance with the hospital's  
8 grievance process. At the conclusion of the hospital's  
9 grievance process, the hospital shall inform the patient that  
10 such grievances may be reported to the Illinois Department of  
11 Public Health if not resolved to the patient's satisfaction at  
12 the hospital level.

13 (410 ILCS 50/5.2 new)

14 Sec. 5.2. Emergency room anti-discrimination notice. Every  
15 hospital shall post a sign next to or in close proximity of its  
16 sign required by Section 489.20 (g) (1) of Title 42 of the Code  
17 of Federal Regulations stating the following:

18 "You have the right not to be discriminated against by the  
19 hospital due to your race, color, or national origin if these  
20 characteristics are unrelated to your diagnosis or treatment.  
21 If you believe this right has been violated, please call  
22 (insert number for hospital grievance officer)."

23 Section 95. No acceleration or delay. Where this Act makes

1 changes in a statute that is represented in this Act by text  
2 that is not yet or no longer in effect (for example, a Section  
3 represented by multiple versions), the use of that text does  
4 not accelerate or delay the taking effect of (i) the changes  
5 made by this Act or (ii) provisions derived from any other  
6 Public Act.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".