



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB4193

Introduced 2/27/2009, by Rep. Ronald A. Wait

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/355a.1 new

Amends the Illinois Insurance Code. Provides that an individual that purchases a policy of accident and health insurance that is a high deductible health plan with a health savings account may waive coverage for any or all insurance coverage mandates required by the Code. Provides that the Division of Insurance may give assistance to individuals regarding the waiving of mandated coverage. Requires the Division to recognize the waiver as a waiver of coverage required under the Illinois Insurance Code. Makes other changes. Effective immediately.

LRB096 10706 RPM 20884 b

1 AN ACT concerning insurance.

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

4 Section 5. The Illinois Insurance Code is amended by adding  
5 Section 355a.1 as follows:

6 (215 ILCS 5/355a.1 new)

7 Sec. 355a.1. High deductible health plans; mandates.

8 (a) For the purpose of this Section, the terms "high  
9 deductible health plan" and "health savings account" shall have  
10 the same meanings as defined by the federal Medicare  
11 Prescription Drug, Improvement, and Modernization Act of 2003.  
12 Components of high deductible health plans and health savings  
13 accounts, including, but not limited to, deductible limits,  
14 contribution limits, and out-of-pocket maximums shall be those  
15 annually prescribed by the United States Department of the  
16 Treasury.

17 (b) An individual that purchases a policy of accident and  
18 health insurance that is a high deductible health plan with a  
19 health savings account may waive coverage for any or all  
20 insurance coverage mandates required by this Code.

21 The decision to waive any or all insurance coverage  
22 mandates shall be made by the individual covered by the policy  
23 of accident and health insurance.

1       In the case of a minor or other individual not able to make  
2 an informed decision, the decision to waive coverage shall be  
3 made by the parent or guardian of the individual.

4       (c) In order to aid individuals in making informed  
5 decisions regarding insurance coverage and the waiving of  
6 mandated coverage, the Division of Insurance of the Illinois  
7 Department of Financial and Professional Regulation may  
8 provide assistance to individuals purchasing coverage to  
9 assist the purchaser in weighing the risks and benefits  
10 associated with waiving mandated coverage. This assistance may  
11 be provided through the Department's Consumer Assistance  
12 Hotline, the use of an internet-based system, informational  
13 brochures, or any other means deemed appropriate by the  
14 Division.

15       (d) The Division of Insurance shall recognize a waiver  
16 under this Section as a waiver of coverage required under this  
17 Code.

18       Section 99. Effective date. This Act takes effect upon  
19 becoming law.