



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5287

Introduced 2/3/2010, by Rep. Joseph M. Lyons

SYNOPSIS AS INTRODUCED:

820 ILCS 320/10

Amends the Public Safety Employee Benefits Act. Provides that the health insurance benefits provided by the Act apply without regard to whether the employee suffered a catastrophic injury or was killed in the line of duty before, on, or after the effective date of the Act.

LRB096 18735 RLC 34120 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 5. The Public Safety Employee Benefits Act is
5 amended by changing Section 10 as follows:

6 (820 ILCS 320/10)

7 Sec. 10. Required health coverage benefits.

8 (a) An employer who employs a full-time law enforcement,
9 correctional or correctional probation officer, or
10 firefighter, who, without regard to ~~on or after~~ the effective
11 date of this Act suffers a catastrophic injury or is killed in
12 the line of duty shall pay the entire premium of the employer's
13 health insurance plan for the injured employee, the injured
14 employee's spouse, and for each dependent child of the injured
15 employee until the child reaches the age of majority or until
16 the end of the calendar year in which the child reaches the age
17 of 25 if the child continues to be dependent for support or the
18 child is a full-time or part-time student and is dependent for
19 support. The term "health insurance plan" does not include
20 supplemental benefits that are not part of the basic group
21 health insurance plan. If the injured employee subsequently
22 dies, the employer shall continue to pay the entire health
23 insurance premium for the surviving spouse until remarried and

1 for the dependent children under the conditions established in
2 this Section. However:

3 (1) Health insurance benefits payable from any other
4 source shall reduce benefits payable under this Section.

5 (2) It is unlawful for a person to willfully and
6 knowingly make, or cause to be made, or to assist, conspire
7 with, or urge another to make, or cause to be made, any
8 false, fraudulent, or misleading oral or written statement
9 to obtain health insurance coverage as provided under this
10 Section. A violation of this item is a Class A misdemeanor.

11 (3) Upon conviction for a violation described in item
12 (2), a law enforcement, correctional or correctional
13 probation officer, or other beneficiary who receives or
14 seeks to receive health insurance benefits under this
15 Section shall forfeit the right to receive health insurance
16 benefits and shall reimburse the employer for all benefits
17 paid due to the fraud or other prohibited activity. For
18 purposes of this item, "conviction" means a determination
19 of guilt that is the result of a plea or trial, regardless
20 of whether adjudication is withheld.

21 (b) In order for the law enforcement, correctional or
22 correctional probation officer, firefighter, spouse, or
23 dependent children to be eligible for insurance coverage under
24 this Act, the injury or death must have occurred as the result
25 of the officer's response to fresh pursuit, the officer or
26 firefighter's response to what is reasonably believed to be an

1 emergency, an unlawful act perpetrated by another, or during
2 the investigation of a criminal act. Nothing in this Section
3 shall be construed to limit health insurance coverage or
4 pension benefits for which the officer, firefighter, spouse, or
5 dependent children may otherwise be eligible.

6 (Source: P.A. 90-535, eff. 11-14-97.)