



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB0136

Introduced 1/30/2009, by Sen. James F. Clayborne, Jr.

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/368c

Amends the Illinois Insurance Code. Provides that when a person presents a benefits information card, if the health care professional or health care provider has a participation contract with the insurer, health maintenance organization, or other entity identified on the card, then the health care professional or health care provider shall submit its claim for services covered under the policy within the time frame specified by the insurer or other entity, but not later than one year after the last date that services have been provided to the insured person. Provides that the health care professional or health care provider may not discriminate against the insured person based upon the cause of that person's sickness or accidental injury. If the health care professional or health care provider fails to submit its claim within the time frame provided for under the Act, the health care professional or health care provider may not seek remittance from the insured person. Effective immediately.

LRB096 04129 RPM 14170 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  
5 changing Section 368c as follows:

6 (215 ILCS 5/368c)

7 Sec. 368c. Remittance advice and procedures.

8 (a) A remittance advice shall be furnished to a health care  
9 professional or health care provider that identifies the  
10 disposition of each claim. The remittance advice shall identify  
11 the services billed; the patient responsibility, if any; the  
12 actual payment, if any, for the services billed; and the reason  
13 for any reduction to the amount for which the claim was  
14 submitted. For any reductions to the amount for which the claim  
15 was submitted, the remittance shall identify any withholds and  
16 the reason for any denial or reduction.

17 A remittance advice for capitation or prospective payment  
18 arrangements shall be furnished to a health care professional  
19 or health care provider pursuant to a contract with an insurer,  
20 health maintenance organization, independent practice  
21 association, or physician hospital organization in accordance  
22 with the terms of the contract.

23 (b) When health care services are provided by a

1 non-participating health care professional or health care  
2 provider, an insurer, health maintenance organization,  
3 independent practice association, or physician hospital  
4 organization may pay for covered services either to a patient  
5 directly or to the non-participating health care professional  
6 or health care provider.

7 (c) When a person presents a benefits information card, a  
8 health care professional or health care provider shall make a  
9 good faith effort to inform the person if the health care  
10 professional or health care provider has a participation  
11 contract with the insurer, health maintenance organization, or  
12 other entity identified on the card. If the health care  
13 professional or health care provider has a participation  
14 contract, then the health care professional or health care  
15 provider shall submit its claim for services covered under the  
16 policy within the time frame specified by the insurer, health  
17 maintenance organization, or other entity, but not later than  
18 one year after the last date that services have been provided  
19 to the insured person. The health care professional or health  
20 care provider may not discriminate against the insured person  
21 based upon the cause of that person's sickness or accidental  
22 injury. If the health care professional or health care provider  
23 fails to submit its claim within the time frame provided for  
24 under this subsection (c), the health care professional or  
25 health care provider may not seek remittance from the insured  
26 person.

1 (Source: P.A. 93-261, eff. 1-1-04.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.