

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 22-15 as follows:

6 (105 ILCS 5/22-15) (from Ch. 122, par. 22-15)
7 Sec. 22-15. Insurance on athletes.

8 (a) In this Section, "IHSA" means the Illinois High School
9 Association.

10 (b) A public school district maintaining grades 9 through
11 12 shall provide catastrophic accident insurance coverage,
12 with aggregate benefit limits of \$7.5 million or 15 years,
13 whichever occurs first, for eligible students in grades 9
14 through 12 who sustain an accidental injury while participating
15 in school-sponsored or school-supervised interscholastic
16 athletic events sanctioned by the IHSA (including direct and
17 uninterrupted travel to and from the athletic event as well as
18 during a temporary stay at the location of an athletic event
19 held away from the student's school) that results in medical
20 expenses in excess of \$50,000. These benefit limits are subject
21 to subsection (d) of this Section and are to be in excess of
22 any and all other insurance, coverage or benefit, in whatever
23 form or designation.

1 Non-public schools maintaining grades 9 through 12 shall
2 provide catastrophic accident insurance coverage, with
3 aggregate benefit limits of \$7.5 million or 15 years, whichever
4 occurs first, for eligible students in grades 9 through 12 who
5 sustain an accidental injury while participating in
6 school-sponsored or school-supervised interscholastic athletic
7 tournaments sanctioned by the IHSA (including direct and
8 uninterrupted travel to and from the athletic tournament as
9 well as during a temporary stay at the location of an athletic
10 tournament held away from the student's school) that results in
11 medical expenses in excess of \$50,000. These benefit limits are
12 subject to subsection (d) of this Section and are to be in
13 excess of any and all other insurance, coverage or benefit, in
14 whatever form or designation.

15 (c) The IHSA has the exclusive authority to promulgate a
16 plan of coverage necessary to ensure compliance with this
17 Section. The IHSA shall provide a group policy providing the
18 coverage necessary to comply with this Section. Public school
19 districts and non-public schools may purchase the coverage
20 necessary to comply with this Section by participating in the
21 group policy.

22 Alternatively, public school districts or non-public
23 schools that do not participate in the group policy may obtain
24 the coverage necessary to comply with this Section from other
25 coverage providers, but must submit to the IHSA, 60 days before
26 the coverage inception, a certificate of insurance from the

1 coverage provider stating that the insurance provided by the
2 coverage provider is in compliance with the plan of coverage
3 approved by the IHSA. A public school district that manages
4 schools located within a city of over 500,000 inhabitants may
5 provide the catastrophic accident insurance coverage required
6 by this Section through a program of self-insurance, and the
7 public school district must submit to the IHSA, 60 days before
8 coverage inception, proof that the program is in compliance
9 with the plan of coverage.

10 (d) The charges for procedures, treatments, services, or
11 prescription pharmaceuticals covered under this Section must
12 not exceed the charges permissible under the workers'
13 compensation fee schedule under Section 8.2 of the Workers'
14 Compensation Act. With regard to charges for procedures,
15 treatments, services, or prescription pharmaceuticals covered
16 under this Section for which no fee is set by the workers'
17 compensation fee schedule under Section 8.2 of the Workers'
18 Compensation Act, the coverage provider may negotiate charges
19 for the procedures, treatments, services, or prescription
20 pharmaceuticals at a discount.

21 (e) A public school district maintaining grades
22 kindergarten through 8 may ~~The school board of any school~~
23 ~~district may, in its discretion,~~ provide medical or hospital
24 service, or both, through accident and health insurance on a
25 group or individual basis, or through non-profit hospital
26 service corporations or medical service plan corporations or

1 both, for pupils of the district in grades kindergarten through
2 8 injured while participating in any athletic activity under
3 the jurisdiction of or sponsored or controlled by the district
4 or the authorities of any school thereof. The cost of such
5 insurance or of subscriptions to such non-profit corporations,
6 when paid from the funds of the district, shall, to the extent
7 such moneys are sufficient, be paid from moneys derived from
8 athletic activities. To the extent that moneys derived from
9 athletic activities are insufficient, such cost may be paid
10 from the educational fund of the district. Such insurance may
11 be purchased from or such subscriptions may be taken in only
12 such companies or corporations as are authorized to do business
13 in Illinois.

14 (Source: P.A. 77-1554.)

15 Section 99. Effective date. This Act takes effect July 1,
16 2013.