



Sen. William R. Haine

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09700SB2877sam002

LRB097 16448 RPM 66853 a

1 AMENDMENT TO SENATE BILL 2877

2 AMENDMENT NO. _____. Amend Senate Bill 2877 on page 1,
3 line 8, by replacing "and 131.27" with "131.27, and 356z.12";
4 and

5 on page 65, immediately below line 21, by inserting the
6 following:

7 "(215 ILCS 5/356z.12)

8 Sec. 356z.12. Dependent coverage.

9 (a) A group or individual policy of accident and health
10 insurance or managed care plan that provides coverage for
11 dependents and that is amended, delivered, issued, or renewed
12 after the effective date of this amendatory Act of the 95th
13 General Assembly shall not terminate coverage or deny the
14 election of coverage for an unmarried dependent by reason of
15 the dependent's age before the dependent's 26th birthday.

16 (b) A policy or plan subject to this Section shall, upon

1 amendment, delivery, issuance, or renewal, establish an
2 initial enrollment period of not less than 90 days during which
3 an insured may make a written election for coverage of an
4 unmarried person as a dependent under this Section. After the
5 initial enrollment period, enrollment by a dependent pursuant
6 to this Section shall be consistent with the enrollment terms
7 of the plan or policy.

8 (c) A policy or plan subject to this Section shall allow
9 for dependent coverage during the annual open enrollment date
10 or the annual renewal date if the dependent, as of the date on
11 which the insured elects dependent coverage under this
12 subsection, has:

13 (1) a period of continuous creditable coverage of 90
14 days or more; and

15 (2) not been without creditable coverage for more than
16 63 days.

17 An insured may elect coverage for a dependent who does not meet
18 the continuous creditable coverage requirements of this
19 subsection (c) and that dependent shall not be denied coverage
20 due to age.

21 For purposes of this subsection (c), "creditable coverage"
22 shall have the meaning provided under subsection (C)(1) of
23 Section 20 of the Illinois Health Insurance Portability and
24 Accountability Act.

25 (d) Military personnel. A group or individual policy of
26 accident and health insurance or managed care plan that

1 provides coverage for dependents and that is amended,
2 delivered, issued, or renewed after the effective date of this
3 amendatory Act of the 95th General Assembly shall not terminate
4 coverage or deny the election of coverage for an unmarried
5 dependent by reason of the dependent's age before the
6 dependent's 30th birthday if the dependent (i) is an Illinois
7 resident, (ii) served as a member of the active or reserve
8 components of any of the branches of the Armed Forces of the
9 United States, and (iii) has received a release or discharge
10 other than a dishonorable discharge. To be eligible for
11 coverage under this subsection (d), the eligible dependent
12 shall submit to the insurer a form approved by the Illinois
13 Department of Veterans' Affairs stating the date on which the
14 dependent was released from service.

15 (e) Calculation of the cost of coverage provided to an
16 unmarried dependent under this Section shall be identical.

17 (f) Nothing in this Section shall prohibit an employer from
18 requiring an employee to pay all or part of the cost of
19 coverage provided under this Section.

20 (g) No exclusions or limitations may be applied to coverage
21 elected pursuant to this Section that do not apply to all
22 dependents covered under the policy.

23 (h) A policy or plan subject to this Section shall not
24 condition eligibility for dependent coverage provided pursuant
25 to this Section on enrollment in any educational institution.

26 (i) Notice regarding coverage for a dependent as provided

1 pursuant to this Section shall be provided to an insured by the
2 insurer:

3 (1) upon application or enrollment;

4 (2) in the certificate of coverage or equivalent
5 document prepared for an insured and delivered on or about
6 the date on which the coverage commences; and

7 (3) (blank) ~~in a notice delivered to an insured on a~~
8 ~~semi-annual basis.~~

9 (Source: P.A. 95-958, eff. 6-1-09.)".