



Sen. Dan Kotowski

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09800HB3638sam003

LRB098 12067 AMC 59711 a

1 AMENDMENT TO HOUSE BILL 3638

2 AMENDMENT NO. _____. Amend House Bill 3638, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 2, on page 2, by replacing lines 2 through 4 with the
5 following:

6 "for policies or qualified health plans offered for sale
7 directly to consumers through the Health Insurance Marketplace
8 in Illinois."; and

9 on page 2, by replacing line 6 with the following:

10 "changing Sections 155.36 and 355a as follows:

11 (215 ILCS 5/155.36)

12 Sec. 155.36. Managed Care Reform and Patient Rights Act.
13 Insurance companies that transact the kinds of insurance
14 authorized under Class 1(b) or Class 2(a) of Section 4 of this
15 Code shall comply with Sections 45, 45.1, 45.2, and 85 and the
16 definition of the term "emergency medical condition" in Section

1 10 of the Managed Care Reform and Patient Rights Act.

2 (Source: P.A. 96-857, eff. 7-1-10.); and

3 by replacing line 24 on page 6 through line 5 on page 7 with the
4 following:

5 "this subsection (5), no qualified health plans shall be
6 offered for sale directly to consumers through the health
7 insurance marketplace operating in the State in accordance with
8 Sections 1311 and 1321 of the federal Patient Protection and
9 Affordable Care Act of 2010 (Public Law 111-148), as amended by
10 the federal Health Care and Education Reconciliation Act of
11 2010 (Public Law 111-152), and any amendments thereto, or
12 regulations or guidance issued thereunder (collectively, "the
13 Federal Act"), unless the following information is made"; and

14 on page 7, lines 8 and 9, by replacing "an up-to-date
15 formulary" with "the most recently published formulary"; and

16 on page 7, line 15, by replacing "The formulary" with "This
17 information"; and

18 on page 7, line 21, after "group,", by inserting "if any,"; and

19 on page 7, line 25, by replacing "a qualified health plan" with
20 "qualified health plans for sale directly to consumers through
21 the health insurance marketplace operating in the State"; and

1 on page 8, lines 13 and 14, by replacing "qualified health
2 plans offered for sale to consumers" with "qualified health
3 plans offered for sale directly to consumers through the health
4 insurance marketplace operating in this State"; and

5 on page 11, by replacing lines 1 through 8 with the following:
6 "this Section, no qualified health plans shall be offered for
7 sale directly to consumers through the health insurance
8 marketplace operating in the State in accordance with Sections
9 1311 and 1321 of the federal Patient Protection and Affordable
10 Care Act of 2010 (Public Law 111-148), as amended by the
11 federal Health Care and Education Reconciliation Act of 2010
12 (Public Law 111-152), and any amendments thereto, or
13 regulations or guidance issued thereunder (collectively, "the
14 Federal Act")", unless, in addition to the information"; and

15 on page 11, lines 12 and 13, by replacing "an up-to-date
16 formulary" with "the most recently published formulary"; and

17 on page 11, line 19, by replacing "The formulary" with "This
18 information"; and

19 on page 11, line 25, after "group,", by inserting "if any,";
20 and

1 on page 13, lines 13 and 14, by replacing "a qualified health
2 plan offered for sale to consumers in this State" with
3 "qualified health plans for sale directly to consumers through
4 the health insurance marketplace operating in the State"; and

5 on page 14, lines 2 and 3, by replacing "qualified health plans
6 offered for sale to consumers" with "qualified health plans
7 offered for sale directly to consumers through the health
8 insurance marketplace operating in this State"; and

9 on page 14, line 21, by replacing "because" with "other than
10 because".