



Rep. Ann Williams

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1 AMENDMENT TO SENATE BILL 1245

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1245 by replacing  
3 everything after the enacting clause with the following:

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 firefighter  
10 (hereinafter referred to as "PSEBA recipient"), who, on or  
11 after the effective date of this Act suffers a catastrophic  
12 injury or is killed in the line of duty shall pay the entire  
13 premium of the employer's health insurance plan for the PSEBA  
14 recipient ~~injured employee~~, the PSEBA recipient's ~~injured~~  
15 ~~employee's~~ spouse, and for each dependent child of the PSEBA  
16 recipient ~~injured employee~~ until the child reaches the age of

1 majority or until the end of the calendar year in which the  
2 child reaches the age of 25 if the child continues to be  
3 dependent for support or the child is a full-time or part-time  
4 student and is dependent for support. The term "health  
5 insurance plan" does not include supplemental benefits that are  
6 not part of the basic group health insurance plan. If the PSEBA  
7 recipient ~~injured employee~~ subsequently dies, the employer  
8 shall continue to pay the entire health insurance premium for  
9 the surviving spouse until remarried and for the dependent  
10 children under the conditions established in this Section.

11 However:

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

14 (2) It is unlawful for a person to willfully and  
15 knowingly make, or cause to be made, or to assist, conspire  
16 with, or urge another to make, or cause to be made, any  
17 false, fraudulent, or misleading oral or written statement  
18 to obtain health insurance coverage as provided under this  
19 Section. A violation of this item is a Class A misdemeanor.

20 (3) Upon conviction for a violation described in item  
21 (2), a law enforcement, correctional or correctional  
22 probation officer, or other beneficiary who receives or  
23 seeks to receive health insurance benefits under this  
24 Section shall forfeit the right to receive health insurance  
25 benefits and shall reimburse the employer for all benefits  
26 paid due to the fraud or other prohibited activity. For

1 purposes of this item, "conviction" means a determination  
2 of guilt that is the result of a plea or trial, regardless  
3 of whether adjudication is withheld.

4 (b) In order for the law enforcement, correctional or  
5 correctional probation officer, firefighter, spouse, or  
6 dependent children to be eligible for insurance coverage under  
7 this Act, the injury or death must have occurred as the result  
8 of the officer's response to fresh pursuit, the officer or  
9 firefighter's response to what is reasonably believed to be an  
10 emergency, an unlawful act perpetrated by another, or during  
11 the investigation of a criminal act. Nothing in this Section  
12 shall be construed to limit health insurance coverage or  
13 pension benefits for which the officer, firefighter, spouse, or  
14 dependent children may otherwise be eligible.

15 (c) A PSEBA benefit recipient who qualified for benefits  
16 under subsections (a) and (b) of this Section shall be required  
17 to file a form with his or her employer as prescribed in this  
18 Section. The Commission on Government Forecasting and  
19 Accountability (COGFA) shall use the form created in this Act  
20 and prescribe the content of the report in cooperation with one  
21 statewide labor organization representing police, one  
22 statewide law enforcement organization, one statewide labor  
23 organization representing firefighters employed by at least  
24 100 municipalities in this State that is affiliated with the  
25 Illinois State Federation of Labor, one statewide labor  
26 organization representing correctional officers and parole

1 agents, that is affiliated with the Illinois State Federation  
2 of Labor, one statewide labor organization representing  
3 correctional officers and parole agents that is affiliated with  
4 the Illinois State Federation of Labor, one statewide  
5 organization representing municipalities, and one regional  
6 organization representing municipalities. COGFA may accept  
7 comment from any source, but shall not be required to solicit  
8 public comment. Within 60 days after the effective date of this  
9 amendatory Act of the 98th General Assembly, COGFA shall remit  
10 a copy of the form contained in this subsection to all  
11 employers subject to this Act.

12 "PSEBA RECIPIENT REPORTING FORM:

13 Under Section 10 of the Public Safety Employee Benefits  
14 Act (820 ILCS 320/10), the Commission on Government  
15 Forecasting and Accountability (COGFA) is charged with  
16 creating and submitting a report to the Governor and the  
17 General Assembly setting forth information regarding  
18 recipients and benefits payable under the Public Safety  
19 Employee Benefits Act (Act). The Act requires employers  
20 providing PSEBA benefits to distribute this form to any  
21 former peace officer, firefighter, or correctional officer  
22 currently in receipt of PSEBA benefits.

23 The responses to the questions below will be used by  
24 COGFA to compile information regarding the PSEBA benefit  
25 for its report. The Act prohibits the release of any

1 personal information concerning the PSEBA recipient and  
2 exempts the reported information from the requirements of  
3 the Freedom of Information Act (FOIA).

4 The Act requires the PSEBA recipient to complete this  
5 form and submit it to the employer providing PSEBA benefits  
6 within 60 days of receipt. If the PSEBA recipient fails to  
7 submit this form within 60 days of receipt, the employer is  
8 required to notify the PSEBA recipient of non-compliance  
9 and provide an additional 30 days to submit the required  
10 form. Failure to submit the form in a timely manner will  
11 result in the PSEBA recipient incurring responsibility for  
12 reimbursing the employer for premiums paid during the  
13 period the form is due and not filed.

14 (1) PSEBA recipient's name:

15 (2) PSEBA recipient's date of birth:

16 (3) Name of the employer providing PSEBA benefits:

17 (4) Date the PSEBA benefit first became payable:

18 (5) What was the medical diagnosis of the injury  
19 that qualified you for the PSEBA benefit?

20 (6) Are you currently employed with compensation?

21 (7) If so, what is the name(s) of your current  
22 employer(s)?

23 (8) Are you or your spouse enrolled in a health  
24 insurance plan provided by your current employer or  
25 another source?

26 (9) Have you or your spouse been offered or

1           provided access to health insurance from your current  
2           employer(s)?

3           If you answered yes to question 8 or 9, please provide  
4           the name of the employer, the name of the insurance  
5           provider(s), and a general description of the type(s) of  
6           insurance offered (HMO, PPO, HSA, etc.):

7           (10) Are you or your spouse enrolled in a health  
8           insurance plan provided by a current employer of your  
9           spouse?

10          (11) Have you or your spouse been offered or  
11          provided access to health insurance provided by a  
12          current employer of your spouse?

13          If you answered yes to question 10 or 11, please  
14          provide the name of the employer, the name of the insurance  
15          provider, and a general description of the type of  
16          insurance offered (HMO, PPO, HSA, etc.) by an employer of  
17          your spouse:"

18          Within 30 days after receipt of this form, COFGA shall  
19          notify an employer of its obligation to notify any PSEBA  
20          recipient receiving benefits under this Act of that recipient's  
21          obligation to file a report under this Section. The employer  
22          shall include a copy of the form and a self-addressed stamped  
23          envelope for the form to be returned to the employer. A PSEBA  
24          recipient receiving benefits under this Act must complete and  
25          return this form to the employer within 60 days of receipt of

1 such form. Any PSEBA recipient who has been given notice as  
2 provided under this Section and who fails to timely file a  
3 report under this Section within 60 days after receipt of this  
4 form shall be notified by the employer that he or she has 30  
5 days to submit the report or risk incurring the cost of his or  
6 her benefits provided under this Act. An employer may seek  
7 reimbursement for premium payments for a PSEBA recipient who  
8 fails to file this report with the employer 30 days after  
9 receiving this notice. The PSEBA recipient is responsible for  
10 reimbursing the employer for premiums paid during the period  
11 the report is due and not filed. Employers shall return this  
12 form to COGFA within 30 days after receiving the form from the  
13 PSEBA recipient.

14 Any information collected by the employer under this  
15 Section shall be exempt from the requirements of the Freedom of  
16 Information Act except for data collected in the aggregate that  
17 does not reveal any personal information concerning the PSEBA  
18 recipient.

19 By July 1 of every odd-numbered year, beginning in 2015,  
20 employers subject to this Act must send the form contained in  
21 this subsection to all PSEBA recipients eligible for benefits  
22 under this Act. The PSEBA recipient must complete and return  
23 this form by September 1 of that year. Any PSEBA recipient who  
24 has been given notice as provided under this Section and who  
25 fails to timely file a completed form under this Section within  
26 60 days after receipt of this form shall be notified by the

1 employer that he or she has 30 days to submit the form or risk  
2 incurring the costs of his or her benefits provided under this  
3 Act. The PSEBA recipient is responsible for reimbursing the  
4 employer for premiums paid during the period the report is due  
5 and not filed. The employer shall resume premium payments upon  
6 receipt of the completed form. Employers shall return this form  
7 to COGFA within 30 days after receiving the form from the PSEBA  
8 recipient.

9 (d) An employer subject to this Act shall complete and file  
10 the form contained in this subsection.

11 "EMPLOYER SUBJECT TO PSEBA REPORTING FORM:

12 Under Section 10 of the Public Safety Employee Benefits  
13 Act (820 ILCS 320/10), the Commission on Government  
14 Forecasting and Accountability (COGFA) is charged with  
15 creating and submitting a report to the Governor and  
16 General Assembly setting forth information regarding  
17 recipients and benefits payable under the Public Safety  
18 Employee Benefits Act (Act).

19 The responses to the questions below will be used by  
20 COGFA to compile information regarding the PSEBA benefit  
21 for its report.

22 The Act requires all employers subject to the PSEBA Act  
23 to submit the following information within 120 days after  
24 receipt of this form.

25 (1) Name of the employer:



1           (2) The number of PSEBA benefit applications filed  
2           under the Act during the reporting period provided in  
3           the aggregate and listed individually by name of  
4           applicant and date of application:

5           (3) The number of PSEBA benefits and names of PSEBA  
6           recipients receiving benefits awarded under the Act  
7           during the reporting period provided in the aggregate  
8           and listed individually by name of applicant and date  
9           of application:

10           (4) The cost of the health insurance premiums paid  
11           due to PSEBA benefits awarded under the Act during the  
12           reporting period provided in the aggregate and listed  
13           individually by name of PSEBA recipient:

14           (5) The number of PSEBA benefit applications filed  
15           under the Act since the inception of the Act provided  
16           in the aggregate and listed individually by name of  
17           applicant and date of application:

18           (6) The number of PSEBA benefits awarded under the  
19           Act since the inception of the Act provided in the  
20           aggregate and listed individually by name of applicant  
21           and date of application:

22           (7) The cost of health insurance premiums paid due  
23           to PSEBA benefits awarded under the Act since the  
24           inception of the Act provided in the aggregate and  
25           listed individually by name of PSEBA recipient:

26           (8) The current annual cost of health insurance

1 premiums paid for PSEBA benefits awarded under the Act  
2 provided in the aggregate and listed individually by  
3 name of PSEBA recipient:

4 (9) The annual cost of health insurance premiums  
5 paid for PSEBA benefits awarded under the Act listed by  
6 year since the inception of the Act provided in annual  
7 aggregate amounts and listed individually by name of  
8 PSEBA recipient:

9 (10) A description of health insurance benefit  
10 levels currently provided by the employer to the PSEBA  
11 recipient:

12 (11) The total cost of the monthly health insurance  
13 premium currently provided to the PSEBA recipient:

14 (12) The other costs of the health insurance  
15 benefit currently provided to the PSEBA recipient  
16 including, but not limited to:

17 (i) the co-pay requirements of the health  
18 insurance policy provided to the PSEBA recipient;

19 (ii) the out-of-pocket deductibles of the  
20 health insurance policy provided to the PSEBA  
21 recipient;

22 (iii) any pharmaceutical benefits and co-pays  
23 provided in the insurance policy; and

24 (iv) any policy limits of the health insurance  
25 policy provided to the PSEBA recipient."

1       An employer covered under this Act shall file copies of the  
2 PSEBA Recipient Reporting Form and the Employer Subject to the  
3 PSEBA Act Reporting Form with COGFA within 120 days after  
4 receipt of the Employer Subject to the PSEBA Act Reporting  
5 Form.

6       The first form filed with COGFA under this Section shall  
7 contain all information required by this Section. All forms  
8 filed by the employer thereafter shall set forth the required  
9 information for the 24-month period ending on June 30 preceding  
10 the deadline date for filing the report.

11       Whenever possible, communication between COGFA and  
12 employers as required by this Act shall be through electronic  
13 means.

14       (e) For the purpose of creating the report required under  
15 subsection (f), upon receipt of each PSEBA Benefit Recipient  
16 Form, or as soon as reasonably practicable, COGFA shall make a  
17 determination of whether the PSEBA benefit recipient or the  
18 PSEBA benefit recipient's spouse meets one of the following  
19 criteria:

20           (1) the PSEBA benefit recipient or the PSEBA benefit  
21 recipient's spouse is receiving health insurance from a  
22 current employer, a current employer of his or her spouse,  
23 or another source;

24           (2) the PSEBA benefit recipient or the PSEBA benefit  
25 recipient's spouse has been offered or provided access to  
26 health insurance from a current employer or employers.

1       If one or both of the criteria are met, COGFA shall make  
2 the following determinations of the associated costs and  
3 benefit levels of health insurance provided or offered to the  
4 PSEBA benefit recipient or the PSEBA benefit recipient's  
5 spouse:

6           (A) a description of health insurance benefit levels  
7 offered to or received by the PSEBA benefit recipient or  
8 the PSEBA benefit recipient's spouse from a current  
9 employer or a current employer of the PSEBA benefit  
10 recipient's spouse;

11           (B) the monthly premium cost of health insurance  
12 benefits offered to or received by the PSEBA benefit  
13 recipient or the PSEBA benefit recipient's spouse from a  
14 current employer or a current employer of the PSEBA benefit  
15 recipient's spouse including, but not limited to:

16                   (i) the total monthly cost of the health insurance  
17 premium;

18                   (ii) the monthly amount of the health insurance  
19 premium to be paid by the employer;

20                   (iii) the monthly amount of the health insurance  
21 premium to be paid by the PSEBA benefit recipient or  
22 the PSEBA benefit recipient's spouse;

23                   (iv) the co-pay requirements of the health  
24 insurance policy;

25                   (v) the out-of-pocket deductibles of the health  
26 insurance policy;

1           (vi) any pharmaceutical benefits and co-pays  
2           provided in the insurance policy;

3           (vii) any policy limits of the health insurance  
4           policy.

5           COGFA shall summarize the related costs and benefit levels  
6           of health insurance provided or available to the PSEBA benefit  
7           recipient or the PSEBA benefit recipient's spouse and contrast  
8           the results to the cost and benefit levels of health insurance  
9           currently provided by the employer subject to this Act. This  
10           information shall be included in the report required in  
11           subsection (f).

12           (f) By June 1, 2014, and by January 1 of every  
13           even-numbered year thereafter beginning in 2016, COGFA shall  
14           submit a report to the Governor and the General Assembly  
15           setting forth the information received under subsections (c)  
16           and (d). The report shall aggregate data in such a way as to  
17           not reveal the identity of any single beneficiary. The  
18           requirement for reporting to the General Assembly shall be  
19           satisfied by filing copies of the report with the Speaker,  
20           Minority Leader, and Clerk of the House of Representatives, the  
21           President, Minority Leader, and Secretary of the Senate, the  
22           Legislative Research Unit as required under Section 3.1 of the  
23           General Assembly Organization Act, and the State Government  
24           Report Distribution Center for the General Assembly as required  
25           under paragraph (t) of Section 7 of the State Library Act.  
26           COGFA shall make this report available electronically on a

1 publicly accessible website.

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

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