

**98TH GENERAL ASSEMBLY****State of Illinois****2013 and 2014****SB2178**

Introduced 2/15/2013, by Sen. Napoleon Harris, III

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/22-15

from Ch. 122, par. 22-15

Amends the School Code. Provides that a public school district maintaining grades kindergarten through 8 may (instead of the school board of any school district may, in its discretion) provide medical or hospital service or both through accident and health insurance or through non-profit hospital service corporations or medical service plan corporations or both for pupils of the district in grades kindergarten through 8 (instead of for all pupils of the district) injured while participating in an athletic activity. Provides that a public school district maintaining grades 9 through 12 shall provide catastrophic accident insurance coverage, with specified benefit limits, for eligible students in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the Illinois High School Association ("IHSA") that results in medical expenses in excess of \$50,000. Sets forth similar provisions for non-public schools for school-sponsored or school-supervised interscholastic athletic tournaments sanctioned by the IHSA. Provides that the IHSA has the exclusive authority to promulgate a plan of coverage necessary to ensure compliance with these provisions. Requires the IHSA to provide a group policy. Allows public school districts and non-public schools to purchase the coverage necessary by participating in the group policy, obtain the coverage necessary from other coverage providers, or, in the case of the Chicago school district, provide the catastrophic accident insurance coverage through a program of self-insurance. Sets forth provisions concerning the charges for procedures, treatments, services, or prescription pharmaceuticals covered. Effective July 1, 2013.

LRB098 09554 NHT 39698 b

FISCAL NOTE ACT  
MAY APPLY**A BILL FOR**

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 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 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.