

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 \$3 million or 5 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 to be
21 in excess of any and all other insurance, coverage or benefit,
22 in whatever form or designation. Any public school that
23 requires students participating in school-sponsored or

1 school-supervised interscholastic athletic events sanctioned
2 by the IHSA (including direct and uninterrupted travel to and
3 from the athletic event as well as during a temporary stay at
4 the location of an athletic event held away from the student's
5 school) to be covered under an individual or group policy of
6 accident and health insurance is exempt from the requirements
7 of this Section.

8 Non-public schools maintaining grades 9 through 12 shall
9 provide catastrophic accident insurance coverage, with
10 aggregate benefit limits of \$3 million or 5 years, whichever
11 occurs first, for eligible students in grades 9 through 12 who
12 sustain an accidental injury while participating in
13 school-sponsored or school-supervised interscholastic athletic
14 tournaments sanctioned by the IHSA (including direct and
15 uninterrupted travel to and from the athletic tournament as
16 well as during a temporary stay at the location of an athletic
17 tournament held away from the student's school) that results in
18 medical expenses in excess of \$50,000. These benefit limits are
19 to be in excess of any and all other insurance, coverage or
20 benefit, in whatever form or designation. Any non-public school
21 that requires students participating in school-sponsored or
22 school-supervised interscholastic athletic events sanctioned
23 by the IHSA (including direct and uninterrupted travel to and
24 from the athletic event as well as during a temporary stay at
25 the location of an athletic event held away from the student's
26 school) to be covered under an individual or group policy of

1 accident and health insurance is exempt from the requirements
2 of this Section.

3 (c) The IHSA has the exclusive authority to promulgate a
4 plan of coverage necessary to ensure compliance with this
5 Section. The IHSA shall provide a group policy providing the
6 coverage necessary to comply with this Section. Public school
7 districts and non-public schools may purchase the coverage
8 necessary to comply with this Section by participating in the
9 group policy.

10 Alternatively, public school districts or non-public
11 schools that do not participate in the group policy may obtain
12 the coverage necessary to comply with this Section from other
13 coverage providers, but must submit to the IHSA, 60 days before
14 the coverage inception, a certificate of insurance from the
15 coverage provider stating that the insurance provided by the
16 coverage provider is in compliance with the plan of coverage
17 approved by the IHSA. A public school district that manages
18 schools located within a city of over 500,000 inhabitants may
19 provide the catastrophic accident insurance coverage required
20 by this Section through a program of self-insurance, and the
21 public school district must submit to the IHSA, 60 days before
22 coverage inception, proof that the program is in compliance
23 with the plan of coverage.

24 (d) A public school district maintaining grades
25 kindergarten through 8 may ~~The school board of any school~~
26 district may, in its discretion, provide medical or hospital

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

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

18 Section 99. Effective date. This Act takes effect July 1,
19 2013.