



Rep. Robert F. Martwick

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1 AMENDMENT TO HOUSE BILL 2916

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2916, AS AMENDED, by  
3 replacing all of Section 10 of the bill with the following:

4 "Section 10. The Public Safety Employee Benefits Act is  
5 amended by changing Section 17 as follows:

6 (820 ILCS 320/17)

7 Sec. 17. Reporting forms.

8 (a) A person who qualified for benefits under subsections

9 (a) and (b) of Section 10 of this Act (hereinafter referred to  
10 as "PSEBA recipient") shall be required to file a form with his  
11 or her employer as prescribed in this Section. The Commission  
12 on Government Forecasting and Accountability (COGFA) shall use  
13 the form created in this Act and prescribe the content of the  
14 report in cooperation with one statewide labor organization  
15 representing police, one statewide law enforcement  
16 organization, one statewide labor organization representing

1 firefighters employed by at least 100 municipalities in this  
2 State that is affiliated with the Illinois State Federation of  
3 Labor, one statewide labor organization representing  
4 correctional officers and parole agents that is affiliated with  
5 the Illinois State Federation of Labor, one statewide  
6 organization representing municipalities, and one regional  
7 organization representing municipalities. COGFA may accept  
8 comment from any source, but shall not be required to solicit  
9 public comment. Within 60 days after the effective date of this  
10 amendatory Act of the 98th General Assembly, COGFA shall remit  
11 a copy of the form contained in this subsection to all  
12 employers subject to this Act and shall make a copy available  
13 on its website.

14 "PSEBA RECIPIENT REPORTING FORM:

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

25 The responses to the questions below will be used by

1 COGFA to compile information regarding the PSEBA benefit  
2 for its report. The Act prohibits the release of any  
3 personal information concerning the PSEBA recipient and  
4 exempts the reported information from the requirements of  
5 the Freedom of Information Act (FOIA).

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

16 (1) PSEBA recipient's name:

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

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

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

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

22 (6) Are you currently employed with compensation?

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

25 (8) Are you or your spouse enrolled in a health  
26 insurance plan provided by your current employer or

1 another source?

2 (9) Have you or your spouse been offered or  
3 provided access to health insurance from your current  
4 employer(s)?

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

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

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

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

20 COGFA ~~COFCA~~ shall notify an employer of its obligation to  
21 notify any PSEBA recipient receiving benefits under this Act of  
22 that recipient's obligation to file a report under this  
23 Section. A PSEBA recipient receiving benefits under this Act  
24 must complete and return this form to the employer within 60  
25 days of receipt of such form. Any PSEBA recipient who has been

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

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

18 By July 1 of every even-numbered ~~odd-numbered~~ year,  
19 beginning in 2016 ~~2015~~, employers subject to this Act must send  
20 the form contained in this subsection to all PSEBA recipients  
21 eligible for benefits under this Act. The PSEBA recipient must  
22 complete and return this form by September 1 of that year. Any  
23 PSEBA recipient who has been given notice as provided under  
24 this Section and who fails to timely file a completed form  
25 under this Section within 60 days after receipt of this form  
26 shall be notified by the employer that he or she has 30 days to

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

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

10 "EMPLOYER SUBJECT TO PSEBA REPORTING FORM:

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

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

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

24 (1) Name of the employer:

25 (2) The number of PSEBA benefit applications filed

1 under the Act during the reporting period provided in  
2 the aggregate and listed individually by name of  
3 applicant and date of application:

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

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

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

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

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

25 (8) The current annual cost of health insurance  
26 premiums paid for PSEBA benefits awarded under the Act

1 provided in the aggregate and listed individually by  
2 name of PSEBA recipient:

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

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

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

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

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

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

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

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

25 An employer covered under this Act shall file copies of the

1 PSEBA Recipient Reporting Form and the Employer Subject to the  
2 PSEBA Act Reporting Form with COGFA within 120 days after  
3 receipt of the Employer Subject to the PSEBA Act Reporting  
4 Form.

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

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

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

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

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

26 If one or both of the criteria are met, COGFA shall make

1 the following determinations of the associated costs and  
2 benefit levels of health insurance provided or offered to the  
3 PSEBA benefit recipient or the PSEBA benefit recipient's  
4 spouse:

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

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

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

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

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

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

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

26 (vi) any pharmaceutical benefits and co-pays

1 provided in the insurance policy;

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

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

11 (d) By June 1, 2014, and by January 1 of every odd-numbered  
12 ~~even-numbered~~ year thereafter beginning in 2017 ~~2016~~, COGFA  
13 shall submit a report to the Governor and the General Assembly  
14 setting forth the information received under subsections (a)  
15 and (b). The report shall aggregate data in such a way as to  
16 not reveal the identity of any single beneficiary. The  
17 requirement for reporting to the General Assembly shall be  
18 satisfied by filing copies of the report with the Speaker,  
19 Minority Leader, and Clerk of the House of Representatives, the  
20 President, Minority Leader, and Secretary of the Senate, the  
21 Legislative Research Unit as required under Section 3.1 of the  
22 General Assembly Organization Act, and the State Government  
23 Report Distribution Center for the General Assembly as required  
24 under paragraph (t) of Section 7 of the State Library Act.  
25 COGFA shall make this report available electronically on a  
26 publicly accessible website.

1 (Source: P.A. 98-561, eff. 8-27-13.)".