

1 AN ACT in relation to insurance.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Health Maintenance Organization Act is
5 amended by changing Section 4-5 as follows:

6 (215 ILCS 125/4-5) (from Ch. 111 1/2, par. 1408.5)

7 Sec. 4-5. Organ Transplants. No contract or evidence of
8 coverage issued by a health maintenance organization that
9 whieh provides coverage for health care services shall deny
10 reimbursement for an otherwise covered expense incurred for
11 any organ transplantation procedure solely on the basis that
12 such procedure is deemed experimental or investigational
13 unless supported by the determination of the Office of Health
14 Care Technology Assessment within the Agency for Health Care
15 Policy and Research within the federal Department of Health
16 and Human Services that such procedure is either experimental
17 or investigational or that there is insufficient data or
18 experience to determine whether an organ transplantation
19 procedure is clinically acceptable. If a health maintenance
20 organization has made written request, or had one made on its
21 behalf by a national organization, for determination by the
22 Office of Health Care Technology Assessment within the Agency
23 for Health Care Policy and Research within the federal
24 Department of Health and Human Services as to whether a
25 specific organ transplantation procedure is clinically
26 acceptable and said organization fails to respond to such a
27 request within a period of 90 days, the failure to act may be
28 deemed a determination that the procedure is deemed to be
29 experimental or investigational.

30 (Source: P.A. 87-218.)