

1 AN ACT concerning insurance.

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

4 Section 5. The Managed Care Reform and Patient Rights
5 Act is amended by changing Section 30 as follows:

6 (215 ILCS 134/30)

7 Sec. 30. Prohibitions.

8 (a) No health care plan or its subcontractors may
9 prohibit or discourage health care providers by contract or
10 policy from discussing any health care services and health
11 care providers, utilization review and quality assurance
12 policies, terms and conditions of plans and plan policy with
13 enrollees, prospective enrollees, providers, or the public.

14 (b) No health care plan by contract, written policy, or
15 procedure may permit or allow an individual or entity to
16 dispense a different drug in place of the drug or brand of
17 drug ordered or prescribed without the express permission of
18 the person ordering or prescribing the drug, except as
19 provided under Section 3.14 of the Illinois Food, Drug and
20 Cosmetic Act.

21 (c) No health care plan or its subcontractors may by
22 contract, written policy, procedure, or otherwise mandate or
23 require an enrollee or prospective enrollee to substitute his
24 or her attending physician under the plan when the enrollee
25 needs hospitalization without the agreement of the enrollee's
26 attending physician who would otherwise admit and care for
27 the patient. All health care plans shall inform prospective
28 enrollees and enrollees of any policies, recommendations, or
29 guidelines concerning the substitution of the enrollee's
30 physician when hospitalization is necessary in the manner set
31 forth in subsections (d) and (e) of Section 15.

1 (d) ~~(e)~~ Any violation of this Section shall be subject
2 to the penalties under this Act.
3 (Source: P.A. 91-617, eff. 1-1-00.)

4 Section 10. The Illinois Insurance Code is amended by
5 changing Sections 155.36, 370s, and 511.118 as follows:

6 (215 ILCS 5/155.36)
7 Sec. 155.36. Managed Care Reform and Patient Rights Act.
8 Insurance companies that transact the kinds of insurance
9 authorized under Class 1(b) or Class 2(a) of Section 4 of
10 this Code shall comply with Sections 30 and Section 85 and
11 the definition of the term "emergency medical condition" in
12 Section 10 of the Managed Care Reform and Patient Rights Act.
13 (Source: P.A. 91-617, eff. 1-1-00.)

14 (215 ILCS 5/370s)
15 Sec. 370s. Managed Care Reform and Patient Rights Act.
16 All administrators shall comply with Sections 30, 55, and 85
17 of the Managed Care Reform and Patient Rights Act.
18 (Source: P.A. 91-617, eff. 1-1-00.)

19 (215 ILCS 5/511.118)
20 Sec. 511.118. Managed Care Reform and Patient Rights
21 Act. All administrators are subject to the provisions of
22 Sections 30, 55, and 85 of the Managed Care Reform and
23 Patient Rights Act.
24 (Source: P.A. 91-617, eff. 1-1-00.)