

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 to substitute his or her participating
24 primary care physician under the plan during inpatient
25 hospitalization without the agreement of that enrollee's
26 participating primary care physician. "Participating primary
27 care physician" for health care plans and subcontractors that
28 do not require coordination of care by a primary care
29 physician means the participating physician treating the
30 patient. All health care plans shall inform enrollees of any
31 policies, recommendations, or guidelines concerning the

1 substitution of the enrollee's primary care physician when
2 hospitalization is necessary in the manner set forth in
3 subsections (d) and (e) of Section 15.

4 (d) ~~(e)~~ Any violation of this Section shall be subject
5 to the penalties under this Act.

6 (Source: P.A. 91-617, eff. 1-1-00.)