



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2923

Introduced 1/20/2006, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

215 ILCS 5/367k new
215 ILCS 5/357.25 rep.

Amends the Illinois Insurance Code. Prohibits health benefit plans from excluding coverage for treatment related to an injury acquired while an insured was intoxicated or under the influence of narcotics when the exclusion is based solely on the insured being intoxicated or under the influence of narcotics. Provides that coverage may be subject to additional terms of the health benefit plan. Repeals a provision allowing accident and health policies to contain an exclusion for losses caused by an insured being intoxicated or under the influence of narcotics. Effective January 1, 2007.

LRB094 15521 LJB 50720 b

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 Illinois Insurance Code is amended by adding
5 Section 367k as follows:

6 (215 ILCS 5/367k new)

7 Sec. 367k. Intoxication and narcotics; exclusion of
8 coverage prohibited.

9 (a) A health benefit plan shall not, solely on the basis of
10 the insured being intoxicated or under the influence of a
11 narcotic, exclude coverage for any emergency or other medical,
12 hospital, or surgical expenses incurred by an insured as a
13 result of and related to an injury acquired while the insured
14 is intoxicated or under the influence of any narcotic,
15 regardless of whether the intoxicant or narcotic is
16 administered on the advice of a health care practitioner.

17 (b) Coverage required under this Section may be subject to
18 deductibles, copayments, coinsurance, or annual or maximum
19 payment limits that are consistent with deductibles,
20 copayments, coinsurance, or annual or maximum payments limits
21 applicable to other similar coverage under the plan.

22 (215 ILCS 5/357.25 rep.)

23 Section 10. The Illinois Insurance Code is amended by
24 repealing Section 357.25.

25 Section 99. Effective date. This Act takes effect January
26 1, 2007.