

HB1443



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1443

Introduced 2/21/2007, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

215 ILCS 5/352

from Ch. 73, par. 964

Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the scope of the Article.

LRB095 09661 KBJ 29861 b

A BILL FOR

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
5 changing Section 352 as follows:

6 (215 ILCS 5/352) (from Ch. 73, par. 964)

7 Sec. 352. Scope of Article.

8 (a) Except as provided in subsections (b), (c), (d), and
9 (e), this ~~this~~ Article shall apply to all companies transacting
10 in this State the kinds of business enumerated in clause (b) of
11 Class 1 and clause (a) of Class 2 of section 4. Nothing in this
12 Article shall apply to, or in any way affect policies or
13 contracts described in clause (a) of Class 1 of Section 4;
14 however, this Article shall apply to policies and contracts
15 which contain benefits providing reimbursement for the
16 expenses of long term health care which are certified or
17 ordered by a physician including but not limited to
18 professional nursing care, custodial nursing care, and
19 non-nursing custodial care provided in a nursing home or at a
20 residence of the insured.

21 (b) This Article does not apply to policies of accident and
22 health insurance issued in compliance with Article XIXB of this
23 Code.

1 (c) A policy issued and delivered in this State that
2 provides coverage under that policy for certificate holders who
3 are neither residents of nor employed in this State does not
4 need to provide to those nonresident certificate holders who
5 are not employed in this State the coverages or services
6 mandated by this Article.

7 (d) Stop-loss insurance is exempt from all Sections of this
8 Article, except this Section and Sections 353a, 354, 357.30,
9 and 370. For purposes of this exemption, stop-loss insurance is
10 further defined as follows:

11 (1) The policy must be issued to and insure an
12 employer, trustee, or other sponsor of the plan, or the
13 plan itself, but not employees, members, or participants.

14 (2) Payments by the insurer must be made to the
15 employer, trustee, or other sponsors of the plan, or the
16 plan itself, but not to the employees, members,
17 participants, or health care providers.

18 (e) A policy issued or delivered in this State to the
19 Department of Healthcare and Family Services (formerly
20 Illinois Department of Public Aid) and providing coverage,
21 under clause (b) of Class 1 or clause (a) of Class 2 as
22 described in Section 4, to persons who are enrolled under
23 Article V of the Illinois Public Aid Code or under the
24 Children's Health Insurance Program Act is exempt from all
25 restrictions, limitations, standards, rules, or regulations
26 respecting benefits imposed by or under authority of this Code,

1 except those specified by subsection (1) of Section 143.
2 Nothing in this subsection, however, affects the total medical
3 services available to persons eligible for medical assistance
4 under the Illinois Public Aid Code.

5 (Source: P.A. 92-370, eff. 8-15-01; revised 12-15-05.)