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09500HB4940ham001

LRB095 17333 MJR 47971 a

1 AMENDMENT TO HOUSE BILL 4940

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4940 on page 2, by  
3 replacing lines 7 and 8 with the following:

4 "a reasonably designed program for wellness coverage that  
5 allows for a reduction in premiums or reduced"; and

6 on page 2, line 14, by replacing "program," with "program.  
7 Individuals unable to participate in wellness program  
8 standards, due to an adverse health factor, shall not be  
9 penalized based upon their adverse health status."; and

10 on page 2, by deleting lines 15 through 18; and

11 on page 3, by replacing lines 3 through 5 with the following:

12 "(d) For purposes of this Section, "reasonably designed  
13 program" means a program of wellness coverage that (1) has a  
14 reasonable chance of improving health or preventing disease,  
15 (2) is not overly burdensome, (3) does not discriminate based

1 upon factors of health, and (4) is not otherwise contrary to  
2 law.

3 (e) A plan offering wellness coverage must give  
4 participants the opportunity to qualify for offered incentives  
5 at least once a year.

6 (f) A plan offering wellness coverage must allow a  
7 reasonable alternative to any individual for whom it is  
8 unreasonably difficult, due to a medical condition, to satisfy  
9 otherwise applicable wellness program standards. Plans may  
10 seek physician verification that health factors make it  
11 unreasonably difficult or medically inadvisable for the  
12 participant to satisfy the standards.

13 (g) The total incentive under a wellness program shall not  
14 exceed 20% of the cost of employee-only coverage. The cost of  
15 employee-only coverage includes both employer and employee  
16 contributions. For plans offering family coverage, the 20%  
17 limitation applies to cost of family coverage and applies to  
18 the entire family.

19 (h) Notwithstanding any other rulemaking authority that  
20 may exist, neither the Governor nor any agency or agency head  
21 under the jurisdiction of the Governor has any authority to  
22 make or promulgate rules to implement or enforce the provisions  
23 of this amendatory Act of the 95th General Assembly. If,  
24 however, the Governor believes that rules are necessary to  
25 implement or enforce the provisions of this amendatory Act of  
26 the 95th General Assembly, the Governor may suggest rules to

1 the General Assembly by filing them with the Clerk of the House  
2 and the Secretary of the Senate and by requesting that the  
3 General Assembly authorize such rulemaking by law, enact those  
4 suggested rules into law, or take any other appropriate action  
5 in the General Assembly's discretion. Nothing contained in this  
6 amendatory Act of the 95th General Assembly shall be  
7 interpreted to grant rulemaking authority under any other  
8 Illinois statute where such authority is not otherwise  
9 explicitly given. For the purposes of this amendatory Act of  
10 the 95th General Assembly, "rules" is given the meaning  
11 contained in Section 1-70 of the Illinois Administrative  
12 Procedure Act, and "agency" and "agency head" are given the  
13 meanings contained in Sections 1-20 and 1-25 of the Illinois  
14 Administrative Procedure Act to the extent that such  
15 definitions apply to agencies or agency heads under the  
16 jurisdiction of the Governor.".