



SR0220

LRB095 12293 KBJ 36871 r

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SENATE RESOLUTION

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WHEREAS, Many families face substantial hardship when a child in that family suffers from a brain disorder that is congenital or acquired at a young age; and

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WHEREAS, These disorders are sometimes known at birth, but sometimes are not diagnosed until later in infancy, childhood, or adolescence when an expected level of function does not appear at the expected age it should; and

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WHEREAS, These disorders can include, among others, Down syndrome, cerebral palsy, and disorders within the autism spectrum; and

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WHEREAS, These children are likely to benefit from habilitative care as prescribed by a physician, including occupational, physical, speech, and language therapy; and

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WHEREAS, In Illinois today, insurance companies typically provide coverage for restorative or rehabilitative therapy for children who, having had the ability to walk and talk, lose those skills in a car accident or from a devastating disease, such as meningitis; and

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WHEREAS, The identical services are denied coverage by many

1 insurance companies when, as opposed to rehabilitative  
2 services to restore a lost skill, the services are  
3 habilitative, to develop new skills; and

4 WHEREAS, Providing insurance coverage for rehabilitative  
5 therapy to regain a lost skill is of no greater importance than  
6 providing insurance coverage for habilitative therapy to  
7 develop a new skill and this unequal treatment of similarly  
8 situated children and families is arbitrary and unfairly  
9 discriminates against children with identical needs; and

10 WHEREAS, The practice of denying insurance coverage for  
11 habilitative services discriminates against children with  
12 neurological impairments, because the vast majority of these  
13 children have congenital brain disorders, necessitating  
14 habilitative therapies, and is contrary to the ideals of our  
15 society which values access to medical care of all patients  
16 with similar conditions; and

17 WHEREAS, The State of Illinois already recognizes the  
18 wrongful nature of this discrimination by meeting its  
19 obligations to provide habilitative services in the Covering  
20 ALL KIDS Health Insurance Program; and

21 WHEREAS, In the State of Maryland, similar discrimination  
22 was resolved by the passage of a law mandating insurance

1 coverage for habilitative services; the economic impact of that  
2 law was considered by the Maryland Health Care Commission,  
3 which reported in 2006 that the mandate for insurance coverage  
4 of children's habilitative services amounted to only \$5 of the  
5 annual cost of a group insurance policy, or 0.1% of the annual  
6 premium, and only \$2 of the annual premium as a marginal cost  
7 (cost of the benefit minus the value of services covered were  
8 there no mandate); therefore, be it

9       RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL  
10 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Division of  
11 Insurance of the Department of Financial and Professional  
12 Regulation and the Department of Human Services, in  
13 consultation with insurance companies, support groups for  
14 children in need of habilitative services, and medical  
15 practitioners specializing in the care of children to undertake  
16 a study of this disparate treatment of Illinois children and  
17 investigate: (1) the insurance treatment for habilitative  
18 services by insurance companies doing business in Illinois; and  
19 (2) the potential costs to premium holders by mandating the  
20 coverage of habilitative care, and also the cost savings of  
21 such a mandate, both societal and as an impact upon reducing  
22 costs to the Covering ALL KIDS Health Insurance Program; and be  
23 it further

24       RESOLVED, That suitable copies of this resolution be

1 delivered to the Governor, the Secretary of Human Services, the  
2 Secretary of Financial and Professional Regulation, the  
3 Director of Insurance, and the Attorney General.