



Rep. Frank J. Mautino

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09600HB2325ham002

LRB096 09782 RPM 24827 a

1 AMENDMENT TO HOUSE BILL 2325

2 AMENDMENT NO. _____. Amend House Bill 2325 as follows:

3 on page 4, immediately below line 13, by inserting the
4 following:

5 "Unless contrary to the provisions of, or any rules
6 promulgated pursuant to, Section 3001(a)(7) of Title III of
7 Division B of the federal American Recovery and
8 Reinvestment Act of 2009, with respect to employees or
9 members involuntarily terminated between September 1, 2008
10 and December 31, 2009, the notice requirements of this
11 Section are not satisfied unless notice is presented to the
12 employee or member by the insurer informing the employee or
13 member of the availability of premium reduction with
14 respect to such coverage under the federal American
15 Recovery and Reinvestment Act of 2009. Such written notice
16 shall conform to all applicable requirements set forth in
17 Section 3001(a)(7) of Title III of Division B of the

1 federal American Recovery and Reinvestment Act of 2009. The
2 Department shall publish models for the notification that
3 shall be provided by insurers pursuant to this paragraph.";
4 and

5 on page 6, immediately below line 16, by inserting the
6 following:

7 "9. An employee or member without an election of
8 continuation of coverage pursuant to this Section in effect
9 on the effective date of this amendatory Act of the 96th
10 General Assembly may elect continuation pursuant to this
11 paragraph 9 if the employee or member: (i) would be an
12 assistance eligible individual as defined in Section
13 3001(a)(3) of Title III of Division B of the federal
14 American Recovery and Reinvestment Act of 2009 if such an
15 election were in effect and (ii) at the time of termination
16 was eligible for continuation pursuant to paragraphs 1 and
17 2 of this Section.

18 Unless contrary to the provisions of, or any rules
19 promulgated pursuant to, Section 3001(a)(7) of Title III of
20 Division B of the federal American Recovery and
21 Reinvestment Act of 2009, written notice of continuation
22 pursuant to this paragraph 9 shall be presented to the
23 employee or member by the insurer or mailed by the insurer
24 to the last known address of the employee or member within
25 30 days of the effective date of this amendatory Act of the

1 96th General Assembly. Such written notice shall conform to
2 all applicable requirements set forth in Section
3 3001(a)(7) of Title III of Division B of the federal
4 American Recovery and Reinvestment Act of 2009. The
5 Department shall publish models for the notification that
6 shall be provided by insurers pursuant to this paragraph 9.

7 An employee or member electing continuation of
8 coverage under this paragraph 9 must request such
9 continuation in writing within 60 days after the date the
10 employee or member receives written notice of the right of
11 continuation by the insurer.

12 Continuation of coverage elected pursuant to this
13 paragraph 9 shall commence with the first period of
14 coverage beginning on or after February 17, 2009, the
15 effective date of the federal American Recovery and
16 Reinvestment Act of 2009, and shall not extend beyond the
17 period of continuation that would have been required if the
18 coverage had been elected pursuant to paragraph 4 of this
19 Section.

20 With respect to an employee or member who elects
21 continuation of coverage under this paragraph 9, the period
22 beginning on the date of the employee's or member's
23 involuntary termination of employment and ending on the
24 date of the first period of coverage on or after February
25 17, 2009 shall be disregarded for purposes of determining
26 the 63-day period referred to in Section 20 of the Illinois

1 Health Insurance Portability and Accountability Act."; and

2 on page 10, immediately below line 5, by inserting the
3 following:

4 "Unless contrary to the provisions of, or any rules
5 promulgated pursuant to, Section 3001(a) (7) of Title III of
6 Division B of the federal American Recovery and
7 Reinvestment Act of 2009, with respect to employees or
8 members involuntarily terminated between September 1, 2008
9 and December 31, 2009, the notice requirements of this
10 Section are not satisfied unless notice is presented to the
11 employee or member by the HMO informing the employee or
12 member of the availability of premium reduction with
13 respect to such coverage under the federal American
14 Recovery and Reinvestment Act of 2009. Such written notice
15 shall conform to all applicable requirements set forth in
16 Section 3001(a) (7) of Title III of Division B of the
17 federal American Recovery and Reinvestment Act of 2009. The
18 Department shall publish models for the notification that
19 shall be provided by HMOs pursuant to this paragraph."; and

20 on page 12, immediately below line 6, by inserting the
21 following:

22 "(9) An employee or member without an election of
23 continuation of coverage pursuant to this Section in effect
24 on the effective date of this amendatory Act of the 96th

1 General Assembly may elect continuation pursuant to this
2 paragraph (9) if the employee or member: (i) would be an
3 assistance eligible individual as defined in Section
4 3001(a)(3) of Title III of Division B of the federal
5 American Recovery and Reinvestment Act of 2009 if such an
6 election were in effect and (ii) at the time of termination
7 was eligible for continuation pursuant to paragraphs (1)
8 and (2) of this Section.

9 Unless contrary to the provisions of, or any rules
10 promulgated pursuant to, Section 3001(a)(7) of Title III of
11 Division B of the federal American Recovery and
12 Reinvestment Act of 2009, written notice of continuation
13 pursuant to this paragraph (9) shall be presented to the
14 employee or member by the HMO or mailed by the HMO to the
15 last known address of the employee or member within 30 days
16 after the effective date of this amendatory Act of the 96th
17 General Assembly. Such written notice shall conform to all
18 applicable requirements set forth in Section 3001(a)(7) of
19 Title III of Division B of the federal American Recovery
20 and Reinvestment Act of 2009. The Department shall publish
21 models for the notification that shall be provided by HMOs
22 pursuant to this paragraph (9).

23 An employee or member electing continuation of
24 coverage under this paragraph (9) must request such
25 continuation in writing within 60 days after the date the
26 employee or member receives written notice of the right of

1 continuation by the HMO.

2 Continuation of coverage elected pursuant to this
3 paragraph (9) shall commence with the first period of
4 coverage beginning on or after February 17, 2009, the
5 effective date of the federal American Recovery and
6 Reinvestment Act of 2009, and shall not extend beyond the
7 period of continuation that would have been required if the
8 coverage had been elected pursuant to paragraph (4) of this
9 Section.

10 With respect to an employee or member who elects
11 continuation of coverage under this paragraph (9), the
12 period beginning on the date of the employee's or member's
13 involuntary termination of employment and ending on the
14 date of the first period of coverage on or after February
15 17, 2009 shall be disregarded for purposes of determining
16 the 63-day period referred to in Section 20 of the Illinois
17 Health Insurance Portability and Accountability Act."