



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5887

Introduced 2/10/2010, by Rep. Dennis M. Reboletti

SYNOPSIS AS INTRODUCED:

20 ILCS 1405/1405-40 new

Amends the Department of Insurance Law of the Civil Administrative Code of Illinois. Provides that if the federal government enacts or implements any provision that would require states to operate a health insurance exchange that includes a public or state-run plan or if the federal government operates a nationally based health insurance exchange with a public plan option and a mechanism exists for individual states to opt out of the public option, then the State shall exercise the right to opt out of such a public plan. Provides that the provisions concerning public health insurance opt out shall apply only to public plans authorized after January 1, 2010 and shall not apply to plans previously operated under Title XVIII or Title XIX of the federal Social Security Act. Effective immediately.

LRB096 19925 RPM 35396 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Insurance Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 1405-40 as follows:

7 (20 ILCS 1405/1405-40 new)

8 Sec. 1405-40. Opt out of federal public health insurance
9 plan. If the federal government enacts or implements any
10 provision that would require states to operate a health
11 insurance exchange that includes a public or state-run plan or
12 if the federal government operates a nationally based health
13 insurance exchange with a public plan option and a mechanism
14 exists for individual states to opt out of the public option,
15 then the State of Illinois shall exercise the right to opt out
16 of such a public plan. The opt out provisions contained in this
17 Section shall apply only to public plans authorized after
18 January 1, 2010 and shall not apply to plans previously
19 operated under Title XVIII or Title XIX of the federal Social
20 Security Act.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.