

SB2173



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2173

Introduced 2/10/2011, by Sen. Bill Brady

SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-715 new

Amends the Civil Administrative Code of Illinois. Sets forth the General Assembly's findings concerning the development of this State's health care system and the federal government proposals for health care that are currently being considered. Provides that a department or agency of the State shall not implement any part of any federal health care reform passed by the U.S. Congress on or after March 1, 2010, unless certain conditions are present.

LRB097 09895 RPM 50055 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Civil Administrative Code of Illinois is
5 amended by adding Section 5-715 as follows:

6 (20 ILCS 5/5-715 new)

7 Sec. 5-715. Implementation of federal health care reform;
8 prohibition.

9 (a) The General Assembly finds the following:

10 (1) This State's health care system has been developed
11 to address the unique circumstances in this State and to
12 provide solutions that work for this State.

13 (2) The federal government proposals for health care
14 currently being considered:

15 (A) infringe on State powers;

16 (B) impose a uniform solution to a problem that
17 requires different responses in different states;

18 (C) threaten the progress this State has made
19 towards health care system reform; and

20 (D) infringe on the rights of citizens of this
21 State to provide for their own health care by:

22 (i) requiring a person to enroll in a
23 third-party payment system;

1 (ii) imposing fines on a person who chooses to
2 pay directly for health care rather than use a
3 third-party payer;

4 (iii) imposing fines on an employer that does
5 not meet federal standards for providing health
6 care benefits for employees; and

7 (iv) threatening private health care systems
8 with competing health care systems.

9 (b) A department or agency of the State shall not implement
10 any part of any federal health care reform passed by the United
11 States Congress on or after March 1, 2010, unless:

12 (1) the department or agency reports to the General
13 Assembly in accordance with subsection (c) of this Section;
14 and

15 (2) the General Assembly passes legislation
16 specifically authorizing the State's compliance with or
17 participation in such federal health care reform
18 provision.

19 (c) The report required under subsection (b) of this
20 Section shall include:

21 (1) the specific federal statute or regulation that
22 requires the State to implement a federal reform provision;

23 (2) whether the reform provision has any state waiver
24 or options;

25 (3) exactly what the reform provision requires the
26 State to do and how it would be implemented;

1 (4) who in the State shall be impacted by adopting the
2 federal reform provision or not adopting the federal reform
3 provision;

4 (5) the cost to the State or citizens of the State to
5 implement the federal reform provision; and

6 (6) the consequences to the State if the State does not
7 comply with the federal reform provision.