



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1865

Introduced 1/29/2025, by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2HHHH new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for any seller of accident insurance or health insurance to solicit individuals who are residents of a nursing home or long-term care facility or individuals who are over the age of 65, unless the seller: (1) does not require a purchasing decision in the first communication to the potential enrollee; (2) advises the potential enrollee of the benefit of examining the potential enrollee's current insurance plan and discussing any changes with a family member, friend, or other advisor before making any decisions; (3) provides a phone number that may be called if the potential enrollee or the potential enrollee's family members, friends, or other advisors have any questions; and (4) allows the potential enrollee to opt out of any future communications with the seller. Provides that it is also an unlawful practice for any seller or provider of accident insurance or health insurance to enter into or amend an insurance policy with a person who: (1) is over the age of 65 and who has executed a power of attorney to give another person authority over medical decisions; or (2) has a medical condition, such as dementia, that would reduce the person's capacity to make informed decisions independently. Provides that the provision does not apply to a new insurance policy or an amendment to an insurance policy that is agreed to by a person with a lawfully executed power of attorney relating to the enrollee or potential enrollee's health or financial matters.

LRB104 10517 SPS 20592 b

1 AN ACT concerning business.

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

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2HHHH as follows:

6 (815 ILCS 505/2HHHH new)

7 Sec. 2HHHH. Targeted insurance solicitations and sales.

8 (a) It is an unlawful practice within the meaning of this
9 Act for any seller of accident insurance or health insurance
10 to solicit individuals who are residents of a nursing home or
11 long-term care facility or individuals who are over the age of
12 65, unless the seller:

13 (1) does not require a purchasing decision in the
14 first communication to the potential enrollee;

15 (2) advises the potential enrollee of the benefit of
16 examining the potential enrollee's current insurance plan
17 and discussing any changes with a family member, friend,
18 or other advisor before making any decisions;

19 (3) provides a phone number that may be called if the
20 potential enrollee or the potential enrollee's family
21 members, friends, or other advisors have any questions;
22 and

23 (4) allows the potential enrollee to opt out of any

1 future communications with the seller.

2 (b) It is also an unlawful practice within the meaning of
3 this Act for any seller or provider of accident insurance or
4 health insurance to enter into or amend an insurance policy
5 with a person who:

6 (1) is over the age of 65 and who has executed a power
7 of attorney to give another person authority over medical
8 decisions; or

9 (2) has a medical condition, such as dementia, that
10 would reduce the person's capacity to make informed
11 decisions independently.

12 This subsection does not apply to a new insurance policy
13 or an amendment to an insurance policy that is agreed to by a
14 person with a lawfully executed power of attorney relating to
15 the enrollee or potential enrollee's health or financial
16 matters.