



Rep. Kelly M. Cassidy

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10400HB2584ham002

LRB104 08321 BAB 24919 a

1 AMENDMENT TO HOUSE BILL 2584

2 AMENDMENT NO. _____. Amend House Bill 2584, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Insurance Code is amended by
6 changing Section 356z.60 as follows:

7 (215 ILCS 5/356z.60)

8 Sec. 356z.60. Coverage for abortifacients, hormonal
9 therapy, and human immunodeficiency virus pre-exposure
10 prophylaxis and post-exposure prophylaxis.

11 (a) As used in this Section:

12 "Abortifacients" means any medication administered to
13 terminate a pregnancy as prescribed or ordered by a health
14 care professional.

15 "Health care professional" means a physician licensed to
16 practice medicine in all of its branches, licensed advanced

1 practice registered nurse, or physician assistant.

2 "Hormonal therapy medication" means hormonal treatment
3 administered to treat gender dysphoria.

4 "Therapeutic equivalent version" means drugs, devices, or
5 products that can be expected to have the same clinical effect
6 and safety profile when administered to patients under the
7 conditions specified in the labeling and that satisfy the
8 following general criteria:

9 (1) it is approved as safe and effective;

10 (2) it is a pharmaceutical equivalent in that it:

11 (A) contains identical amounts of the same active
12 drug ingredient in the same dosage form and route of
13 administration; and

14 (B) meets compendial or other applicable standards
15 of strength, quality, purity, and identity;

16 (3) it is bioequivalent in that:

17 (A) it does not present a known or potential
18 bioequivalence problem and it meets an acceptable in
19 vitro standard; or

20 (B) if it does present such a known or potential
21 problem, it is shown to meet an appropriate
22 bioequivalence standard;

23 (4) it is adequately labeled; and

24 (5) it is manufactured in compliance with Current Good
25 Manufacturing Practice regulations adopted by the United
26 States Food and Drug Administration.

1 (b) An individual or group policy of accident and health
2 insurance amended, delivered, issued, or renewed in this State
3 on or after January 1, 2024 shall provide coverage for all
4 abortifacients, hormonal therapy medication, human
5 immunodeficiency virus pre-exposure prophylaxis, and
6 post-exposure prophylaxis drugs approved by the United States
7 Food and Drug Administration, and follow-up services related
8 to that coverage, including, but not limited to, management of
9 side effects, medication self-management or adherence
10 counseling, risk reduction strategies, and mental health
11 counseling. This coverage shall include drugs approved by the
12 United States Food and Drug Administration that are prescribed
13 or ordered for off-label use for the purposes described in
14 this Section. On or after the effective date of this
15 amendatory Act of the 104th General Assembly, this coverage
16 shall include pre-PrEP HIV screening, sexually transmitted
17 infection screening, kidney function analysis, routine
18 laboratory testing, and routine provider visits.

19 (c) The coverage required under subsection (b) is subject
20 to the following conditions:

21 (1) If the United States Food and Drug Administration
22 has approved one or more therapeutic equivalent versions
23 of an abortifacient drug, a policy is not required to
24 include all such therapeutic equivalent versions in its
25 formulary so long as at least one is included and covered
26 without cost sharing and in accordance with this Section.

1 (2) If an individual's attending provider recommends a
2 particular drug approved by the United States Food and
3 Drug Administration based on a determination of medical
4 necessity with respect to that individual, the plan or
5 issuer must defer to the determination of the attending
6 provider and must cover that service or item without cost
7 sharing.

8 (3) If a drug is not covered, plans and issuers must
9 have an easily accessible, transparent, and sufficiently
10 expedient process that is not unduly burdensome on the
11 individual or a provider or other individual acting as a
12 patient's authorized representative to ensure coverage
13 without cost sharing.

14 The conditions listed under this subsection (c) also apply
15 to drugs prescribed for off-label use as abortifacients.

16 (d) Except as otherwise provided in this Section, a policy
17 subject to this Section shall not impose a deductible,
18 coinsurance, copayment, or any other cost-sharing requirement
19 on the coverage provided. The provisions of this subsection do
20 not apply to coverage of procedures to the extent such
21 coverage would disqualify a high-deductible health plan from
22 eligibility for a health savings account pursuant to the
23 federal Internal Revenue Code, 26 U.S.C. 223.

24 (e) Except as otherwise authorized under this Section, a
25 policy shall not impose any restrictions or delays on the
26 coverage required under this Section.

1 (f) The coverage requirements in this Section for
2 abortifacients do not, pursuant to 42 U.S.C. 18054(a)(6),
3 apply to a multistate plan that does not provide coverage for
4 abortion.

5 (g) If the Department concludes that enforcement of any
6 coverage requirement of this Section for abortifacients may
7 adversely affect the allocation of federal funds to this
8 State, the Department may grant an exemption to that
9 requirement, but only to the minimum extent necessary to
10 ensure the continued receipt of federal funds.

11 (Source: P.A. 102-1117, eff. 1-13-23; 103-462, eff. 8-4-23.)

12 Section 10. The Prior Authorization Reform Act is amended
13 by adding Section 52 as follows:

14 (215 ILCS 200/52 new)

15 Sec. 52. Prior authorization for certain prescription
16 drugs; prohibited. A health insurance issuer may not require
17 prior authorization for the following prescription drug types
18 and their therapeutic equivalents approved by the United
19 States Food and Drug Administration: human immunodeficiency
20 virus pre-exposure prophylaxis and post-exposure prophylaxis
21 medication or human immunodeficiency virus treatment
22 medication.

23 Section 99. Effective date. This Act takes effect January

1 1, 2027.".