



Rep. Amy Briel

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10400HB4331ham001

LRB104 17206 BAB 34482 a

1 AMENDMENT TO HOUSE BILL 4331

2 AMENDMENT NO. _____. Amend House Bill 4331 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fair Patient Billing Act is amended by
5 changing Section 55 and by adding Section 21 as follows:

6 (210 ILCS 88/21 new)

7 Sec. 21. Telehealth billing transparency.

8 (a) For the purpose of this Section, "telehealth services"
9 has the meaning given to that term in Section 5 of the
10 Telehealth Act.

11 (b) A hospital that offers telehealth services shall not
12 bill or charge a person, group or individual policy of
13 accident and health insurance, or managed care plan for any
14 services or care not rendered during a telehealth visit,
15 including, but not limited to, exams that are not possible to
16 perform on a patient at a remote location, such as taking

1 measurements of a patient's blood pressure, temperature,
2 height, or weight.

3 (210 ILCS 88/55)

4 Sec. 55. Enforcement.

5 (a) The Attorney General is responsible for administering
6 and ensuring compliance with this Act, including the
7 development of any rules necessary for the implementation and
8 enforcement of this Act.

9 (b) The Attorney General shall develop and implement a
10 process for receiving and handling complaints from individuals
11 or hospitals regarding possible violations of this Act.

12 (c) The Attorney General may conduct any investigation
13 deemed necessary regarding possible violations of this Act by
14 any hospital including, without limitation, the issuance of
15 subpoenas to: (i) require the hospital to file a statement or
16 report or answer interrogatories in writing as to all
17 information relevant to the alleged violations; (ii) examine
18 under oath any person who possesses knowledge or information
19 directly related to the alleged violations; and (iii) examine
20 any record, book, document, account, or paper necessary to
21 investigate the alleged violation.

22 (d) If the Attorney General determines that there is a
23 reason to believe that any hospital has violated the Act, the
24 Attorney General may bring an action in the name of the People
25 of the State against the hospital to obtain temporary,

1 preliminary, or permanent injunctive relief for any act,
2 policy, or practice by the hospital that violates this Act.
3 Before bringing such an action, the Attorney General may
4 permit the hospital to submit a Correction Plan for the
5 Attorney General's approval.

6 (e) This Section applies if:

7 (i) a court orders a party to make payments to the
8 Attorney General and the payments are to be used for the
9 operations of the Office of the Attorney General; or

10 (ii) a party agrees in a Correction Plan under this
11 Act, to make payments to the Attorney General for the
12 operations of the Office of the Attorney General.

13 (f) Moneys paid under any of the conditions described in
14 (e) shall be deposited into the Attorney General Court Ordered
15 and Voluntary Compliance Payment Projects Fund. Moneys in the
16 Fund shall be used, subject to appropriation, for the
17 performance of any function pertaining to the exercise of the
18 duties to the Attorney General including, but not limited to,
19 enforcement of any law of this State and conducting public
20 education programs; however, any moneys in the Fund that are
21 required by the court to be used for a particular purpose shall
22 be used for that purpose.

23 (g) The Attorney General may seek the assessment of one or
24 more of the following civil monetary penalties in any action
25 filed under this Act where the hospital knowingly violates the
26 Act:

1 (1) For violations, involving a pattern or practice,
2 of not providing the information to patients under
3 Sections 12, 15, 20, 25, and 50, the civil monetary
4 penalty shall not exceed \$500 per violation.

5 (2) For violations involving the failure to engage in
6 or refrain from certain activities under Sections 21, 30,
7 35, and 40, the civil monetary penalty shall not exceed
8 \$1,000 ~~\$1000~~ per violation.

9 (h) In the event a court grants a final order of relief
10 against any hospital for a violation of this Act, the Attorney
11 General may, after all appeal rights have been exhausted,
12 refer the hospital to the Illinois Department of Public Health
13 for possible adverse licensure action under the Hospital
14 Licensing Act.

15 (Source: P.A. 104-181, eff. 1-1-26.)".