



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1392

Introduced 1/29/2025, by Sen. Javier L. Cervantes

SYNOPSIS AS INTRODUCED:

215 ILCS 5/370a

from Ch. 73, par. 982a

Amends the Illinois Insurance Code. Provides that no provision of the Illinois Insurance Code, or any other law, prohibits assignability rights to an insured under any policy of dental insurance (in addition to accident and health insurance). Provides that if an enrollee or insured of an insurer, health maintenance organization, managed care plan, health care plan, preferred provider organization, dental service plan corporation, dental insurer, or third party administrator assigns a claim to a health care professional, or health care facility, a dental care provider, or a dental care facility, then payment shall be made directly to the health care professional, or health care facility, dental care provider, or dental care facility, including any required interest. Effective immediately.

LRB104 06099 BAB 16132 b

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 370a as follows:

6 (215 ILCS 5/370a) (from Ch. 73, par. 982a)

7 Sec. 370a. Assignability of dental insurance and accident
8 and health insurance ~~Accident and Health Insurance~~.

9 No provision of the Illinois Insurance Code, or any other
10 law, prohibits an insured under any policy of dental insurance
11 or accident and health insurance or any other person who may be
12 the owner of any rights under any such policy from making an
13 assignment of all or any part of his rights and privileges
14 under the policy including but not limited to the right to
15 designate a beneficiary and to have an individual policy
16 issued in accordance with its terms. Subject to the terms of
17 the policy or any contract relating thereto, an assignment by
18 an insured or by any other owner of rights under the policy,
19 made before or after the effective date of this amendatory Act
20 of 1969 is valid for the purpose of vesting in the assignee, in
21 accordance with any provisions included therein as to the time
22 at which it is effective, all rights and privileges so
23 assigned. However, such assignment is without prejudice to the

1 company on account of any payment it makes or individual
2 policy it issues before receipt of notice of the assignment.
3 This amendatory Act of 1969 acknowledges, declares and
4 codifies the existing right of assignment of interests under
5 accident and health insurance policies. If an enrollee or
6 insured of an insurer, health maintenance organization,
7 managed care plan, health care plan, preferred provider
8 organization, dental service plan corporation, dental insurer,
9 or third party administrator assigns a claim to a health care
10 professional, ~~or~~ health care facility, dental care provider,
11 or dental care facility, then payment shall be made directly
12 to the health care professional, ~~or~~ health care facility,
13 dental care provider, or dental care facility, including any
14 interest required under Section 368a~~7~~ of this Code for failure
15 to pay claims within 30 days after receipt by the insurer of
16 due proof of loss. Nothing in this Section shall be construed
17 to prevent any parties from reconciling duplicate payments.
18 (Source: P.A. 91-605, eff. 12-14-99; 91-788, eff. 6-9-00.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.