



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2921

Introduced 1/27/2026, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

5 ILCS 375/6.11	
55 ILCS 5/5-1069.3	
65 ILCS 5/10-4-2.3	
105 ILCS 5/10-22.3f	
215 ILCS 125/5-3	from Ch. 111 1/2, par. 1411.2
215 ILCS 130/4003	from Ch. 73, par. 1504-3
215 ILCS 165/10	from Ch. 32, par. 604
305 ILCS 5/5-16.8	

Amends the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Health Maintenance Organization Act, the Limited Health Service Organization Act, the Voluntary Health Services Plans Act, and the Illinois Public Aid Code to require coverage for eye medication under the provisions of those Acts pursuant to the Topical Eye Medication Prescription Act.

LRB104 15893 BAB 29120 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 State Employees Group Insurance Act of 1971  
5 is amended by changing Section 6.11 as follows:

6 (5 ILCS 375/6.11)

7 (Text of Section before amendment by P.A. 104-1, 104-27,  
8 104-68, 104-73, 104-289, 104-324, and 104-379)

9 Sec. 6.11. Required health benefits; Illinois Insurance  
10 Code requirements. The program of health benefits shall  
11 provide the post-mastectomy care benefits required to be  
12 covered by a policy of accident and health insurance under  
13 Section 356t of the Illinois Insurance Code. The program of  
14 health benefits shall provide the coverage required under the  
15 Topical Eye Medication Prescription Act and Sections 356g,  
16 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,  
17 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,  
18 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,  
19 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,  
20 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,  
21 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,  
22 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,  
23 356z.74, 356z.76, ~~and~~ 356z.77, and 356z.81 ~~356z.80~~ of the

1 Illinois Insurance Code. The program of health benefits must  
2 comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and  
3 370c.1 and Article XXXIIB of the Illinois Insurance Code. The  
4 program of health benefits shall provide the coverage required  
5 under Section 356m of the Illinois Insurance Code and, for the  
6 employees of the State Employee Group Insurance Program only,  
7 the coverage as also provided in Section 6.11B of this Act. The  
8 Department of Insurance shall enforce the requirements of this  
9 Section with respect to Sections 370c and 370c.1 of the  
10 Illinois Insurance Code; all other requirements of this  
11 Section shall be enforced by the Department of Central  
12 Management Services.

13 Rulemaking authority to implement Public Act 95-1045, if  
14 any, is conditioned on the rules being adopted in accordance  
15 with all provisions of the Illinois Administrative Procedure  
16 Act and all rules and procedures of the Joint Committee on  
17 Administrative Rules; any purported rule not so adopted, for  
18 whatever reason, is unauthorized.

19 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,  
20 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;  
21 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.  
22 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,  
23 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;  
24 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-42, eff.  
25 8-1-25; 104-417, eff. 8-15-25; revised 10-1-25.)

1 (Text of Section after amendment by P.A. 104-27, 104-68,  
2 104-73, 104-289, 104-324, and 104-379 but before amendment by  
3 P.A. 104-1)

4 Sec. 6.11. Required health benefits; Illinois Insurance  
5 Code requirements. The program of health benefits shall  
6 provide the post-mastectomy care benefits required to be  
7 covered by a policy of accident and health insurance under  
8 Section 356t of the Illinois Insurance Code. The program of  
9 health benefits shall provide the coverage required under the  
10 Topical Eye Medication Prescription Act and Sections 356g,  
11 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,  
12 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,  
13 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,  
14 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,  
15 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,  
16 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,  
17 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,  
18 356z.74, 356z.76, ~~and 356z.77, and 356z.80,~~ 356z.81, 356z.82,  
19 356z.83, 356z.84, and 356z.85 of the Illinois Insurance Code.  
20 The program of health benefits must comply with Sections  
21 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article  
22 XXXIIB of the Illinois Insurance Code. The program of health  
23 benefits shall provide the coverage required under Section  
24 356m of the Illinois Insurance Code and, for the employees of  
25 the State Employee Group Insurance Program only, the coverage  
26 as also provided in Section 6.11B of this Act. The Department

1 of Insurance shall enforce the requirements of this Section  
2 with respect to Sections 370c and 370c.1 and Article XXXIIB of  
3 the Illinois Insurance Code; all other requirements of this  
4 Section shall be enforced by the Department of Central  
5 Management Services.

6 Rulemaking authority to implement Public Act 95-1045, if  
7 any, is conditioned on the rules being adopted in accordance  
8 with all provisions of the Illinois Administrative Procedure  
9 Act and all rules and procedures of the Joint Committee on  
10 Administrative Rules; any purported rule not so adopted, for  
11 whatever reason, is unauthorized.

12 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,  
13 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;  
14 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.  
15 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,  
16 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;  
17 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-27, eff.  
18 1-1-26, 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.  
19 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,  
20 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-1-25.)

21 (Text of Section after amendment by P.A. 104-1)

22 Sec. 6.11. Required health benefits; Illinois Insurance  
23 Code requirements. The program of health benefits shall  
24 provide the post-mastectomy care benefits required to be  
25 covered by a policy of accident and health insurance under

1 Section 356t of the Illinois Insurance Code. The program of  
2 health benefits shall provide the coverage required under the  
3 Topical Eye Medication Prescription Act and Sections 356g,  
4 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,  
5 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,  
6 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,  
7 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,  
8 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,  
9 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,  
10 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,  
11 356z.74, 356z.76, ~~and~~ 356z.77, 356z.79, ~~and~~ 356z.80, 356z.81,  
12 356z.82, 356z.83, 356z.84, and 356z.85 of the Illinois  
13 Insurance Code. The program of health benefits must comply  
14 with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1  
15 and Article XXXIIB of the Illinois Insurance Code. The program  
16 of health benefits shall provide the coverage required under  
17 Section 356m of the Illinois Insurance Code and, for the  
18 employees of the State Employee Group Insurance Program only,  
19 the coverage as also provided in Section 6.11B of this Act. The  
20 Department of Insurance shall enforce the requirements of this  
21 Section with respect to Sections 370c and 370c.1 and Article  
22 XXXIIB of the Illinois Insurance Code; all other requirements  
23 of this Section shall be enforced by the Department of Central  
24 Management Services.

25 Rulemaking authority to implement Public Act 95-1045, if  
26 any, is conditioned on the rules being adopted in accordance

1 with all provisions of the Illinois Administrative Procedure  
2 Act and all rules and procedures of the Joint Committee on  
3 Administrative Rules; any purported rule not so adopted, for  
4 whatever reason, is unauthorized.

5 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,  
6 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;  
7 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.  
8 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,  
9 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;  
10 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
11 7-1-27; 104-27, eff. 1-1-26, 104-42, eff. 8-1-25; 104-68, eff.  
12 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,  
13 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;  
14 revised 10-1-25.)

15 Section 10. The Counties Code is amended by changing  
16 Section 5-1069.3 as follows:

17 (55 ILCS 5/5-1069.3)

18 (Text of Section before amendment by P.A. 104-68, 104-73,  
19 104-289, 104-324, and 104-379)

20 Sec. 5-1069.3. Required health benefits. If a county,  
21 including a home rule county, is a self-insurer for purposes  
22 of providing health insurance coverage for its employees, the  
23 coverage shall include coverage for the post-mastectomy care  
24 benefits required to be covered by a policy of accident and

1 health insurance under Section 356t and the coverage required  
2 under the Topical Eye Medication Prescription Act and Sections  
3 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,  
4 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,  
5 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,  
6 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,  
7 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,  
8 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,  
9 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77,  
10 356z.79, and 356z.81 ~~356z.80~~ of the Illinois Insurance Code.  
11 The coverage shall comply with Sections 155.22a, 355b,  
12 356z.19, and 370c of the Illinois Insurance Code. The  
13 Department of Insurance shall enforce the requirements of this  
14 Section. The requirement that health benefits be covered as  
15 provided in this Section is an exclusive power and function of  
16 the State and is a denial and limitation under Article VII,  
17 Section 6, subsection (h) of the Illinois Constitution. A home  
18 rule county to which this Section applies must comply with  
19 every provision of this Section.

20 Rulemaking authority to implement Public Act 95-1045, if  
21 any, is conditioned on the rules being adopted in accordance  
22 with all provisions of the Illinois Administrative Procedure  
23 Act and all rules and procedures of the Joint Committee on  
24 Administrative Rules; any purported rule not so adopted, for  
25 whatever reason, is unauthorized.

26 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;

1 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
2 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
3 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;  
4 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
5 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised  
6 10-1-25.)

7 (Text of Section after amendment by P.A. 104-68, 104-73,  
8 104-289, 104-324, and 104-379)

9 Sec. 5-1069.3. Required health benefits. If a county,  
10 including a home rule county, is a self-insurer for purposes  
11 of providing health insurance coverage for its employees, the  
12 coverage shall include coverage for the post-mastectomy care  
13 benefits required to be covered by a policy of accident and  
14 health insurance under Section 356t and the coverage required  
15 under the Topical Eye Medication Prescription Act and Sections  
16 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,  
17 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,  
18 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,  
19 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,  
20 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,  
21 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,  
22 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77,  
23 356z.79, ~~and~~ 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and  
24 356z.85 of the Illinois Insurance Code. The coverage shall  
25 comply with Sections 155.22a, 355b, 356z.19, and 370c of the

1 Illinois Insurance Code. The Department of Insurance shall  
2 enforce the requirements of this Section. The requirement that  
3 health benefits be covered as provided in this Section is an  
4 exclusive power and function of the State and is a denial and  
5 limitation under Article VII, Section 6, subsection (h) of the  
6 Illinois Constitution. A home rule county to which this  
7 Section applies must comply with every provision of this  
8 Section.

9 Rulemaking authority to implement Public Act 95-1045, if  
10 any, is conditioned on the rules being adopted in accordance  
11 with all provisions of the Illinois Administrative Procedure  
12 Act and all rules and procedures of the Joint Committee on  
13 Administrative Rules; any purported rule not so adopted, for  
14 whatever reason, is unauthorized.

15 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
16 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
17 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
18 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;  
19 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
20 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.  
21 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,  
22 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-1-25.)

23 Section 15. The Illinois Municipal Code is amended by  
24 changing Section 10-4-2.3 as follows:

1 (65 ILCS 5/10-4-2.3)

2 (Text of Section before amendment by P.A. 104-68, 104-73,  
3 104-289, 104-324, and 104-379)

4 Sec. 10-4-2.3. Required health benefits. If a  
5 municipality, including a home rule municipality, is a  
6 self-insurer for purposes of providing health insurance  
7 coverage for its employees, the coverage shall include  
8 coverage for the post-mastectomy care benefits required to be  
9 covered by a policy of accident and health insurance under  
10 Section 356t and the coverage required under the Topical Eye  
11 Medication Prescription Act and Sections 356g, 356g.5,  
12 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4,  
13 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,  
14 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,  
15 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45,  
16 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56,  
17 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67,  
18 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77, 356z.79, and  
19 356z.81 ~~356z.80~~ of the Illinois Insurance Code. The coverage  
20 shall comply with Sections 155.22a, 355b, 356z.19, and 370c of  
21 the Illinois Insurance Code. The Department of Insurance shall  
22 enforce the requirements of this Section. The requirement that  
23 health benefits be covered as provided in this is an exclusive  
24 power and function of the State and is a denial and limitation  
25 under Article VII, Section 6, subsection (h) of the Illinois  
26 Constitution. A home rule municipality to which this Section

1 applies must comply with every provision of this Section.

2 Rulemaking authority to implement Public Act 95-1045, if  
3 any, is conditioned on the rules being adopted in accordance  
4 with all provisions of the Illinois Administrative Procedure  
5 Act and all rules and procedures of the Joint Committee on  
6 Administrative Rules; any purported rule not so adopted, for  
7 whatever reason, is unauthorized.

8 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
9 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
10 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
11 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;  
12 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
13 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised  
14 10-2-25.)

15 (Text of Section after amendment by P.A. 104-68, 104-73,  
16 104-289, 104-324, and 104-379)

17 Sec. 10-4-2.3. Required health benefits. If a  
18 municipality, including a home rule municipality, is a  
19 self-insurer for purposes of providing health insurance  
20 coverage for its employees, the coverage shall include  
21 coverage for the post-mastectomy care benefits required to be  
22 covered by a policy of accident and health insurance under  
23 Section 356t and the coverage required under the Topical Eye  
24 Medication Prescription Act and Sections 356g, 356g.5,  
25 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4,

1 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,  
2 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,  
3 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45,  
4 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56,  
5 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67,  
6 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77, 356z.79, ~~and~~  
7 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and 356z.85 of  
8 the Illinois Insurance Code. The coverage shall comply with  
9 Sections 155.22a, 355b, 356z.19, and 370c of the Illinois  
10 Insurance Code. The Department of Insurance shall enforce the  
11 requirements of this Section. The requirement that health  
12 benefits be covered as provided in this is an exclusive power  
13 and function of the State and is a denial and limitation under  
14 Article VII, Section 6, subsection (h) of the Illinois  
15 Constitution. A home rule municipality to which this Section  
16 applies must comply with every provision of this Section.

17 Rulemaking authority to implement Public Act 95-1045, if  
18 any, is conditioned on the rules being adopted in accordance  
19 with all provisions of the Illinois Administrative Procedure  
20 Act and all rules and procedures of the Joint Committee on  
21 Administrative Rules; any purported rule not so adopted, for  
22 whatever reason, is unauthorized.

23 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
24 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
25 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
26 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;

1 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
2 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.  
3 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,  
4 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-2-25.)

5 Section 20. The School Code is amended by changing Section  
6 10-22.3f as follows:

7 (105 ILCS 5/10-22.3f)

8 (Text of Section before amendment by P.A. 104-27, 104-68,  
9 104-73, 104-289, 104-324, and 104-379)

10 Sec. 10-22.3f. Required health benefits. Insurance  
11 protection and benefits for employees shall provide the  
12 post-mastectomy care benefits required to be covered by a  
13 policy of accident and health insurance under Section 356t and  
14 the coverage required under the Topical Eye Medication  
15 Prescription Act and Sections 356g, 356g.5, 356g.5-1, 356m,  
16 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6,  
17 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,  
18 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,  
19 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,  
20 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61,  
21 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74,  
22 ~~and~~ 356z.77, 356z.79, and 356z.81 ~~356z.80~~ of the Illinois  
23 Insurance Code. Insurance policies shall comply with Section  
24 356z.19 of the Illinois Insurance Code. The coverage shall

1 comply with Sections 155.22a, 355b, and 370c of the Illinois  
2 Insurance Code. The Department of Insurance shall enforce the  
3 requirements of this Section.

4 Rulemaking authority to implement Public Act 95-1045, if  
5 any, is conditioned on the rules being adopted in accordance  
6 with all provisions of the Illinois Administrative Procedure  
7 Act and all rules and procedures of the Joint Committee on  
8 Administrative Rules; any purported rule not so adopted, for  
9 whatever reason, is unauthorized.

10 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
11 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
12 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
13 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;  
14 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
15 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised  
16 10-2-25.)

17 (Text of Section after amendment by P.A. 104-27, 104-68,  
18 104-73, 104-289, 104-324, and 104-379)

19 Sec. 10-22.3f. Required health benefits. Insurance  
20 protection and benefits for employees shall provide the  
21 post-mastectomy care benefits required to be covered by a  
22 policy of accident and health insurance under Section 356t and  
23 the coverage required under the Topical Eye Medication  
24 Prescription Act and Sections 356g, 356g.5, 356g.5-1, 356m,  
25 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6,

1 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,  
2 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,  
3 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,  
4 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61,  
5 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74,  
6 ~~and~~ 356z.77, 356z.79, and 356z.80, 356z.81, 356z.82, 356z.83,  
7 356z.84, and 356z.85 of the Illinois Insurance Code. Insurance  
8 policies shall comply with Section 356z.19 of the Illinois  
9 Insurance Code. The coverage shall comply with Sections  
10 155.22a, 355b, and 370c and Article XXXIIB of the Illinois  
11 Insurance Code. The Department of Insurance shall enforce the  
12 requirements of this Section.

13 Rulemaking authority to implement Public Act 95-1045, if  
14 any, is conditioned on the rules being adopted in accordance  
15 with all provisions of the Illinois Administrative Procedure  
16 Act and all rules and procedures of the Joint Committee on  
17 Administrative Rules; any purported rule not so adopted, for  
18 whatever reason, is unauthorized.

19 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
20 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.  
21 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,  
22 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;  
23 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.  
24 6-9-25; 104-27, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff.  
25 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,  
26 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;

1 revised 10-2-25.)

2 Section 25. The Health Maintenance Organization Act is  
3 amended by changing Section 5-3 as follows:

4 (215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

5 (Text of Section before amendment by P.A. 103-808, 104-28,  
6 104-68, 104-73, 104-98, 104-289, 104-324, and 104-379)

7 Sec. 5-3. Illinois Insurance Code and Topical Eye  
8 Medication Prescription Act provisions.

9 (a) Health Maintenance Organizations shall be subject to  
10 the provisions of the Topical Eye Medication Prescription Act  
11 and Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2,  
12 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154,  
13 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c,  
14 355.2, 355.3, 355.6, 355b, 355c, 356f, 356g.5-1, 356m, 356q,  
15 356u.10, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a,  
16 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,  
17 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20,  
18 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28,  
19 356z.29, 356z.30, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35,  
20 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.40a,  
21 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49,  
22 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57,  
23 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.63, 356z.64,  
24 356z.65, 356z.66, 356z.67, 356z.68, 356z.69, 356z.70, 356z.71,

1 356z.72, 356z.73, 356z.74, 356z.75, 356z.76, 356z.77, 356z.78,  
2 356z.79, 356z.81, ~~356z.80,~~ 364, 364.01, 364.3, 367.2, 367.2-5,  
3 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1,  
4 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1,  
5 paragraph (c) of subsection (2) of Section 367, and Articles  
6 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and  
7 XXXIIB of the Illinois Insurance Code. Section 356z.81 ~~365z.80~~  
8 of the Illinois Insurance Code is not applicable to health  
9 care plans under contract with the Department of Healthcare  
10 and Family Services.

11 (b) For purposes of the Illinois Insurance Code, except  
12 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,  
13 Health Maintenance Organizations in the following categories  
14 are deemed to be "domestic companies":

15 (1) a corporation authorized under the Dental Service  
16 Plan Act or the Voluntary Health Services Plans Act;

17 (2) a corporation organized under the laws of this  
18 State; or

19 (3) a corporation organized under the laws of another  
20 state, 30% or more of the enrollees of which are residents  
21 of this State, except a corporation subject to  
22 substantially the same requirements in its state of  
23 organization as is a "domestic company" under Article VIII  
24 1/2 of the Illinois Insurance Code.

25 (c) In considering the merger, consolidation, or other  
26 acquisition of control of a Health Maintenance Organization

1 pursuant to Article VIII 1/2 of the Illinois Insurance Code,

2 (1) the Director shall give primary consideration to  
3 the continuation of benefits to enrollees and the  
4 financial conditions of the acquired Health Maintenance  
5 Organization after the merger, consolidation, or other  
6 acquisition of control takes effect;

7 (2) (i) the criteria specified in subsection (1) (b) of  
8 Section 131.8 of the Illinois Insurance Code shall not  
9 apply and (ii) the Director, in making his determination  
10 with respect to the merger, consolidation, or other  
11 acquisition of control, need not take into account the  
12 effect on competition of the merger, consolidation, or  
13 other acquisition of control;

14 (3) the Director shall have the power to require the  
15 following information:

16 (A) certification by an independent actuary of the  
17 adequacy of the reserves of the Health Maintenance  
18 Organization sought to be acquired;

19 (B) pro forma financial statements reflecting the  
20 combined balance sheets of the acquiring company and  
21 the Health Maintenance Organization sought to be  
22 acquired as of the end of the preceding year and as of  
23 a date 90 days prior to the acquisition, as well as pro  
24 forma financial statements reflecting projected  
25 combined operation for a period of 2 years;

26 (C) a pro forma business plan detailing an

1           acquiring party's plans with respect to the operation  
2           of the Health Maintenance Organization sought to be  
3           acquired for a period of not less than 3 years; and

4                   (D) such other information as the Director shall  
5           require.

6           (d) The provisions of Article VIII 1/2 of the Illinois  
7           Insurance Code and this Section 5-3 shall apply to the sale by  
8           any health maintenance organization of greater than 10% of its  
9           enrollee population (including, without limitation, the health  
10          maintenance organization's right, title, and interest in and  
11          to its health care certificates).

12          (e) In considering any management contract or service  
13          agreement subject to Section 141.1 of the Illinois Insurance  
14          Code, the Director (i) shall, in addition to the criteria  
15          specified in Section 141.2 of the Illinois Insurance Code,  
16          take into account the effect of the management contract or  
17          service agreement on the continuation of benefits to enrollees  
18          and the financial condition of the health maintenance  
19          organization to be managed or serviced, and (ii) need not take  
20          into account the effect of the management contract or service  
21          agreement on competition.

22          (f) Except for small employer groups as defined in the  
23          Small Employer Rating, Renewability and Portability Health  
24          Insurance Act and except for medicare supplement policies as  
25          defined in Section 363 of the Illinois Insurance Code, a  
26          Health Maintenance Organization may by contract agree with a

1 group or other enrollment unit to effect refunds or charge  
2 additional premiums under the following terms and conditions:

3 (i) the amount of, and other terms and conditions with  
4 respect to, the refund or additional premium are set forth  
5 in the group or enrollment unit contract agreed in advance  
6 of the period for which a refund is to be paid or  
7 additional premium is to be charged (which period shall  
8 not be less than one year); and

9 (ii) the amount of the refund or additional premium  
10 shall not exceed 20% of the Health Maintenance  
11 Organization's profitable or unprofitable experience with  
12 respect to the group or other enrollment unit for the  
13 period (and, for purposes of a refund or additional  
14 premium, the profitable or unprofitable experience shall  
15 be calculated taking into account a pro rata share of the  
16 Health Maintenance Organization's administrative and  
17 marketing expenses, but shall not include any refund to be  
18 made or additional premium to be paid pursuant to this  
19 subsection (f)). The Health Maintenance Organization and  
20 the group or enrollment unit may agree that the profitable  
21 or unprofitable experience may be calculated taking into  
22 account the refund period and the immediately preceding 2  
23 plan years.

24 The Health Maintenance Organization shall include a  
25 statement in the evidence of coverage issued to each enrollee  
26 describing the possibility of a refund or additional premium,

1 and upon request of any group or enrollment unit, provide to  
2 the group or enrollment unit a description of the method used  
3 to calculate (1) the Health Maintenance Organization's  
4 profitable experience with respect to the group or enrollment  
5 unit and the resulting refund to the group or enrollment unit  
6 or (2) the Health Maintenance Organization's unprofitable  
7 experience with respect to the group or enrollment unit and  
8 the resulting additional premium to be paid by the group or  
9 enrollment unit.

10 In no event shall the Illinois Health Maintenance  
11 Organization Guaranty Association be liable to pay any  
12 contractual obligation of an insolvent organization to pay any  
13 refund authorized under this Section.

14 (g) Rulemaking authority to implement Public Act 95-1045,  
15 if any, is conditioned on the rules being adopted in  
16 accordance with all provisions of the Illinois Administrative  
17 Procedure Act and all rules and procedures of the Joint  
18 Committee on Administrative Rules; any purported rule not so  
19 adopted, for whatever reason, is unauthorized.

20 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
21 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff.  
22 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551,  
23 eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25;  
24 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff.  
25 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753,  
26 eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24;

1 103-914, eff. 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff.  
2 1-1-25; 104-1, eff. 6-9-25; 104-42, eff. 8-1-25; 104-334, eff.  
3 8-15-25; 104-417, eff. 8-15-25; revised 10-3-25.)

4 (Text of Section after amendment by P.A. 103-808, 104-28,  
5 104-68, 104-73, 104-98, 104-289, 104-324, and 104-379)

6 Sec. 5-3. Illinois Insurance Code and Topical Eye  
7 Medication Prescription Act provisions.

8 (a) Health Maintenance Organizations shall be subject to  
9 the provisions of the Topical Eye Medication Prescription Act  
10 and Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2,  
11 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154,  
12 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c,  
13 355.2, 355.3, 355.6, 355.7, 355b, 355c, 356f, 356g, 356g.5-1,  
14 356m, 356q, 356u.10, 356v, 356w, 356x, 356z.2, 356z.3a,  
15 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10,  
16 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18,  
17 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25,  
18 356z.26, 356z.28, 356z.29, 356z.30, 356z.31, 356z.32, 356z.33,  
19 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40,  
20 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47,  
21 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55,  
22 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62,  
23 356z.63, 356z.64, 356z.65, 356z.66, 356z.67, 356z.68, 356z.69,  
24 356z.70, 356z.71, 356z.72, 356z.73, 356z.74, 356z.75, 356z.76,  
25 356z.77, 356z.78, 356z.79, 356z.80, 356z.81, 356z.82, 356z.83,

1 356z.84, 356z.85, 364, 364.01, 364.3, 367.2, 367.2-5, 367i,  
2 368a, 368b, 368c, 368d, 368e, 370a, 370c, 370c.1, 401, 401.1,  
3 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1,  
4 paragraph (c) of subsection (2) of Section 367, and Articles  
5 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and  
6 XXXIIB of the Illinois Insurance Code.

7 (b) For purposes of the Illinois Insurance Code, except  
8 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,  
9 Health Maintenance Organizations in the following categories  
10 are deemed to be "domestic companies":

11 (1) a corporation authorized under the Dental Service  
12 Plan Act or the Voluntary Health Services Plans Act;

13 (2) a corporation organized under the laws of this  
14 State; or

15 (3) a corporation organized under the laws of another  
16 state, 30% or more of the enrollees of which are residents  
17 of this State, except a corporation subject to  
18 substantially the same requirements in its state of  
19 organization as is a "domestic company" under Article VIII  
20 1/2 of the Illinois Insurance Code.

21 (c) In considering the merger, consolidation, or other  
22 acquisition of control of a Health Maintenance Organization  
23 pursuant to Article VIII 1/2 of the Illinois Insurance Code,

24 (1) the Director shall give primary consideration to  
25 the continuation of benefits to enrollees and the  
26 financial conditions of the acquired Health Maintenance

1 Organization after the merger, consolidation, or other  
2 acquisition of control takes effect;

3 (2) (i) the criteria specified in subsection (1) (b) of  
4 Section 131.8 of the Illinois Insurance Code shall not  
5 apply and (ii) the Director, in making his determination  
6 with respect to the merger, consolidation, or other  
7 acquisition of control, need not take into account the  
8 effect on competition of the merger, consolidation, or  
9 other acquisition of control;

10 (3) the Director shall have the power to require the  
11 following information:

12 (A) certification by an independent actuary of the  
13 adequacy of the reserves of the Health Maintenance  
14 Organization sought to be acquired;

15 (B) pro forma financial statements reflecting the  
16 combined balance sheets of the acquiring company and  
17 the Health Maintenance Organization sought to be  
18 acquired as of the end of the preceding year and as of  
19 a date 90 days prior to the acquisition, as well as pro  
20 forma financial statements reflecting projected  
21 combined operation for a period of 2 years;

22 (C) a pro forma business plan detailing an  
23 acquiring party's plans with respect to the operation  
24 of the Health Maintenance Organization sought to be  
25 acquired for a period of not less than 3 years; and

26 (D) such other information as the Director shall

1           require.

2           (d) The provisions of Article VIII 1/2 of the Illinois  
3 Insurance Code and this Section 5-3 shall apply to the sale by  
4 any health maintenance organization of greater than 10% of its  
5 enrollee population (including, without limitation, the health  
6 maintenance organization's right, title, and interest in and  
7 to its health care certificates).

8           (e) In considering any management contract or service  
9 agreement subject to Section 141.1 of the Illinois Insurance  
10 Code, the Director (i) shall, in addition to the criteria  
11 specified in Section 141.2 of the Illinois Insurance Code,  
12 take into account the effect of the management contract or  
13 service agreement on the continuation of benefits to enrollees  
14 and the financial condition of the health maintenance  
15 organization to be managed or serviced, and (ii) need not take  
16 into account the effect of the management contract or service  
17 agreement on competition.

18           (f) Except for small employer groups as defined in the  
19 Small Employer Rating, Renewability and Portability Health  
20 Insurance Act and except for medicare supplement policies as  
21 defined in Section 363 of the Illinois Insurance Code, a  
22 Health Maintenance Organization may by contract agree with a  
23 group or other enrollment unit to effect refunds or charge  
24 additional premiums under the following terms and conditions:

25           (i) the amount of, and other terms and conditions with  
26           respect to, the refund or additional premium are set forth

1 in the group or enrollment unit contract agreed in advance  
2 of the period for which a refund is to be paid or  
3 additional premium is to be charged (which period shall  
4 not be less than one year); and

5 (ii) the amount of the refund or additional premium  
6 shall not exceed 20% of the Health Maintenance  
7 Organization's profitable or unprofitable experience with  
8 respect to the group or other enrollment unit for the  
9 period (and, for purposes of a refund or additional  
10 premium, the profitable or unprofitable experience shall  
11 be calculated taking into account a pro rata share of the  
12 Health Maintenance Organization's administrative and  
13 marketing expenses, but shall not include any refund to be  
14 made or additional premium to be paid pursuant to this  
15 subsection (f)). The Health Maintenance Organization and  
16 the group or enrollment unit may agree that the profitable  
17 or unprofitable experience may be calculated taking into  
18 account the refund period and the immediately preceding 2  
19 plan years.

20 The Health Maintenance Organization shall include a  
21 statement in the evidence of coverage issued to each enrollee  
22 describing the possibility of a refund or additional premium,  
23 and upon request of any group or enrollment unit, provide to  
24 the group or enrollment unit a description of the method used  
25 to calculate (1) the Health Maintenance Organization's  
26 profitable experience with respect to the group or enrollment

1 unit and the resulting refund to the group or enrollment unit  
2 or (2) the Health Maintenance Organization's unprofitable  
3 experience with respect to the group or enrollment unit and  
4 the resulting additional premium to be paid by the group or  
5 enrollment unit.

6 In no event shall the Illinois Health Maintenance  
7 Organization Guaranty Association be liable to pay any  
8 contractual obligation of an insolvent organization to pay any  
9 refund authorized under this Section.

10 (g) Rulemaking authority to implement Public Act 95-1045,  
11 if any, is conditioned on the rules being adopted in  
12 accordance with all provisions of the Illinois Administrative  
13 Procedure Act and all rules and procedures of the Joint  
14 Committee on Administrative Rules; any purported rule not so  
15 adopted, for whatever reason, is unauthorized.

16 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
17 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff.  
18 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551,  
19 eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25;  
20 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff.  
21 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753,  
22 eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24;  
23 103-808, eff. 1-1-26; 103-914, eff. 1-1-25; 103-918, eff.  
24 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-28,  
25 eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73,  
26 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;

1 104-324, eff. 1-1-26; 104-334, eff. 8-15-25; 104-379, eff.  
2 1-1-26; 104-417, eff. 8-15-25; revised 10-3-25.)

3 Section 30. The Limited Health Service Organization Act is  
4 amended by changing Section 4003 as follows:

5 (215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

6 (Text of Section before amendment by P.A. 104-73, 104-98,  
7 104-289, 104-324, and 104-379)

8 Sec. 4003. Illinois Insurance Code and Topical Eye  
9 Medication Prescription Act provisions. Limited health service  
10 organizations shall be subject to the provisions of the  
11 Topical Eye Medication Prescription Act and Sections 133, 134,  
12 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c,  
13 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8,  
14 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 355d, 356m,  
15 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22,  
16 356z.25, 356z.26, 356z.29, 356z.32, 356z.33, 356z.41, 356z.46,  
17 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61,  
18 356z.64, 356z.67, 356z.68, 356z.71, 356z.73, 356z.74, 356z.75,  
19 356z.79, 356z.81, ~~356z.80~~, 364.3, 368a, 401, 401.1, 402, 403,  
20 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA,  
21 VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB  
22 of the Illinois Insurance Code. Nothing in this Section shall  
23 require a limited health care plan to cover any service that is  
24 not a limited health service. For purposes of the Illinois

1 Insurance Code, except for Sections 444 and 444.1 and Articles  
2 XIII and XIII 1/2, limited health service organizations in the  
3 following categories are deemed to be domestic companies:

4 (1) a corporation under the laws of this State; or

5 (2) a corporation organized under the laws of another  
6 state, 30% or more of the enrollees of which are residents  
7 of this State, except a corporation subject to  
8 substantially the same requirements in its state of  
9 organization as is a domestic company under Article VIII  
10 1/2 of the Illinois Insurance Code.

11 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
12 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff.  
13 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656,  
14 eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24;  
15 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff.  
16 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42,  
17 eff. 8-1-25; 104-334, eff. 8-15-25; 104-417, eff. 8-15-25;  
18 revised 10-3-25.)

19 (Text of Section after amendment by P.A. 104-73, 104-98,  
20 104-289, 104-324, and 104-379)

21 Sec. 4003. Illinois Insurance Code and Topical Eye  
22 Medication Prescription Act provisions. Limited health service  
23 organizations shall be subject to the provisions of the  
24 Topical Eye Medication Prescription Act and Sections 133, 134,  
25 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c,

1 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8,  
2 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 355d, 356m,  
3 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22,  
4 356z.25, 356z.26, 356z.29, 356z.32, 356z.33, 356z.41, 356z.46,  
5 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61,  
6 356z.64, 356z.67, 356z.68, 356z.71, 356z.73, 356z.74, 356z.75,  
7 356z.79, 356z.80, 356z.81, 356z.83, 356z.84, 356z.85, 364.3,  
8 368a, 370a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412,  
9 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII,  
10 XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance  
11 Code. Nothing in this Section shall require a limited health  
12 care plan to cover any service that is not a limited health  
13 service. For purposes of the Illinois Insurance Code, except  
14 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,  
15 limited health service organizations in the following  
16 categories are deemed to be domestic companies:

17 (1) a corporation under the laws of this State; or

18 (2) a corporation organized under the laws of another  
19 state, 30% or more of the enrollees of which are residents  
20 of this State, except a corporation subject to  
21 substantially the same requirements in its state of  
22 organization as is a domestic company under Article VIII  
23 1/2 of the Illinois Insurance Code.

24 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
25 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff.  
26 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656,

1 eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24;  
2 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff.  
3 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42,  
4 eff. 8-1-25; 104-73, eff. 1-1-26; 104-98, eff. 1-1-26;  
5 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-334, eff.  
6 8-15-25; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised  
7 10-3-25.)

8 Section 35. The Voluntary Health Services Plans Act is  
9 amended by changing Section 10 as follows:

10 (215 ILCS 165/10) (from Ch. 32, par. 604)

11 (Text of Section before amendment by P.A. 104-28, 104-73,  
12 104-98, 104-289, 104-324, and 104-379)

13 Sec. 10. Application of Insurance Code and Topical Eye  
14 Medication Prescription Act provisions. Health services plan  
15 corporations and all persons interested therein or dealing  
16 therewith shall be subject to the provisions of the Topical  
17 Eye Medication Prescription Act and Articles IIA and XII 1/2  
18 and Sections 3.1, 133, 136, 139, 140, 143, 143.31, 143c, 149,  
19 155.22a, 155.37, 354, 355.2, 355.3, 355b, 355d, 356g, 356g.5,  
20 356g.5-1, 356m, 356q, 356r, 356t, 356u, 356u.10, 356v, 356w,  
21 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5,  
22 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,  
23 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25,  
24 356z.26, 356z.29, 356z.30, 356z.32, 356z.32a, 356z.33,

1 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54,  
2 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,  
3 356z.67, 356z.68, 356z.71, 356z.72, 356z.74, 356z.75, 356z.77,  
4 356z.79, 356z.81, ~~356z.80,~~ 364.01, 364.3, 367.2, 368a, 401,  
5 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7)  
6 and (15) of Section 367 of the Illinois Insurance Code.

7 Rulemaking authority to implement Public Act 95-1045, if  
8 any, is conditioned on the rules being adopted in accordance  
9 with all provisions of the Illinois Administrative Procedure  
10 Act and all rules and procedures of the Joint Committee on  
11 Administrative Rules; any purported rule not so adopted, for  
12 whatever reason, is unauthorized.

13 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
14 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff.  
15 8-11-23; 103-605, eff. 7-1-24; 103-656, eff. 1-1-25; 103-718,  
16 eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24;  
17 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-914, eff.  
18 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1,  
19 eff. 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25;  
20 revised 10-3-25.)

21 (Text of Section after amendment by P.A. 104-28, 104-73,  
22 104-98, 104-289, 104-324, and 104-379)

23 Sec. 10. Application of Illinois Insurance Code and  
24 Topical Eye Medication Prescription Act provisions. Health  
25 services plan corporations and all persons interested therein

1 or dealing therewith shall be subject to the provisions of the  
2 Topical Eye Medication Prescription Act and Articles IIA and  
3 XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143.31,  
4 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355.7, 355b,  
5 355d, 356g, 356g.5, 356g.5-1, 356m, 356q, 356r, 356t, 356u,  
6 356u.10, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a,  
7 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10,  
8 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19,  
9 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,  
10 356z.32a, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47,  
11 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60,  
12 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.71, 356z.72,  
13 356z.74, 356z.75, 356z.77, 356z.79, 356z.80, 356z.81, 356z.83,  
14 356z.84, 356z.85, 364.01, 364.3, 367.2, 368a, 370a, 401,  
15 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7)  
16 and (15) of Section 367 of the Illinois Insurance Code.

17 Rulemaking authority to implement Public Act 95-1045, if  
18 any, is conditioned on the rules being adopted in accordance  
19 with all provisions of the Illinois Administrative Procedure  
20 Act and all rules and procedures of the Joint Committee on  
21 Administrative Rules; any purported rule not so adopted, for  
22 whatever reason, is unauthorized.

23 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
24 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff.  
25 8-11-23; 103-605, eff. 7-1-24; 103-656, eff. 1-1-25; 103-718,  
26 eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24;

1 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-914, eff.  
2 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1,  
3 eff. 6-9-25; 104-28, eff. 1-1-26; 104-42, eff. 8-1-25; 104-73,  
4 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;  
5 104-324, eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff.  
6 8-15-25; revised 10-3-25.)

7 Section 40. The Illinois Public Aid Code is amended by  
8 changing Section 5-16.8 as follows:

9 (305 ILCS 5/5-16.8)

10 (Text of Section before amendment by P.A. 104-73, 104-324,  
11 and 104-379)

12 Sec. 5-16.8. Required health benefits. The medical  
13 assistance program shall (i) provide the post-mastectomy care  
14 benefits required to be covered by a policy of accident and  
15 health insurance under Section 356t and the coverage required  
16 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,  
17 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,  
18 356z.47, 356z.51, 356z.53, 356z.59, 356z.60, 356z.61, 356z.64,  
19 356z.67, 356z.71, and 356z.75 of the Illinois Insurance Code,  
20 (ii) be subject to the provisions of Sections 356z.19,  
21 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the Illinois  
22 Insurance Code, ~~and~~ (iii) be subject to the provisions of  
23 subsection (d-5) of Section 10 of the Network Adequacy and  
24 Transparency Act, and (iv) be subject to the provisions of the

1 Topical Eye Medication Prescription Act.

2 The Department, by rule, shall adopt a model similar to  
3 the requirements of Section 356z.39 of the Illinois Insurance  
4 Code.

5 On and after July 1, 2012, the Department shall reduce any  
6 rate of reimbursement for services or other payments or alter  
7 any methodologies authorized by this Code to reduce any rate  
8 of reimbursement for services or other payments in accordance  
9 with Section 5-5e.

10 To ensure full access to the benefits set forth in this  
11 Section, on and after January 1, 2016, the Department shall  
12 ensure that provider and hospital reimbursement for  
13 post-mastectomy care benefits required under this Section are  
14 no lower than the Medicare reimbursement rate.

15 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
16 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703, eff.  
17 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-417,  
18 eff. 8-15-25.)

19 (Text of Section after amendment by P.A. 104-73, 104-324,  
20 and 104-379)

21 Sec. 5-16.8. Required health benefits. The medical  
22 assistance program shall (i) provide the post-mastectomy care  
23 benefits required to be covered by a policy of accident and  
24 health insurance under Section 356t and the coverage required  
25 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,

1 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,  
2 356z.47, 356z.51, 356z.53, 356z.59, 356z.60, 356z.61, 356z.64,  
3 356z.67, 356z.71, ~~and~~ 356z.75, ~~and~~ 356z.80, 356z.84, and  
4 356z.85 of the Illinois Insurance Code, (ii) be subject to the  
5 provisions of Sections 356z.19, 356z.44, 356z.49, 364.01,  
6 370c, and 370c.1 of the Illinois Insurance Code, ~~and~~ (iii) be  
7 subject to the provisions of subsection (d-5) of Section 10 of  
8 the Network Adequacy and Transparency Act, and (iv) be subject  
9 to the provisions of the Topical Eye Medication Prescription  
10 Act.

11 The Department, by rule, shall adopt a model similar to  
12 the requirements of Section 356z.39 of the Illinois Insurance  
13 Code.

14 On and after July 1, 2012, the Department shall reduce any  
15 rate of reimbursement for services or other payments or alter  
16 any methodologies authorized by this Code to reduce any rate  
17 of reimbursement for services or other payments in accordance  
18 with Section 5-5e.

19 To ensure full access to the benefits set forth in this  
20 Section, on and after January 1, 2016, the Department shall  
21 ensure that provider and hospital reimbursement for  
22 post-mastectomy care benefits required under this Section are  
23 no lower than the Medicare reimbursement rate.

24 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;  
25 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703, eff.  
26 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-73,

1 eff. 1-1-26; 104-324, eff. 1-1-26; 104-379, eff. 1-1-26;  
2 104-417, eff. 8-15-25; revised 10-3-25.)

3 Section 95. No acceleration or delay. Where this Act makes  
4 changes in a statute that is represented in this Act by text  
5 that is not yet or no longer in effect (for example, a Section  
6 represented by multiple versions), the use of that text does  
7 not accelerate or delay the taking effect of (i) the changes  
8 made by this Act or (ii) provisions derived from any other  
9 Public Act.