

SB3181



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3181

Introduced 2/2/2026, by Sen. Omar Aquino

SYNOPSIS AS INTRODUCED:

215 ILCS 5/368k new

Amends the Illinois Insurance Code. Sets forth provisions concerning minimum reimbursement rates that a health insurance company must provide for a physician providing health care services in the specified counties. Prohibits a physician from waiving minimum reimbursement protections as a condition of participation in a health benefit plan or for any other reason. Grants the Department of Insurance rulemaking authority and establishes penalty provisions for violations of the minimum reimbursement provisions.

LRB104 18630 BAB 32073 b

A BILL FOR

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 adding Section 368k as follows:

6 (215 ILCS 5/368k new)

7 Sec. 368k. Fair physician payment; minimum reimbursement;
8 penalties.

9 (a) In this Section:

10 "County" means one or all of the following 4 counties:
11 Cook, DuPage, Lake, and Will Counties in Illinois.

12 "Covered health care service" means any service for which
13 a Medicare rate has been established at the time the physician
14 service is provided.

15 "Health insurance company" means any insurance company,
16 health maintenance organization, preferred provider
17 organization, or other entity that administers a health
18 insurance plan subject to regulation under the laws of
19 Illinois.

20 "Health insurance plan" does not include a noncommercial
21 insurance plan, such as a personal line or a policy of excepted
22 benefits.

23 "Medicare rate" means the applicable Current Procedural

1 Terminology (CPT) Code established under the Medicare
2 Physician Fee Schedule in effect on the date the physician
3 services are rendered.

4 "Physician" means an individual licensed to practice
5 medicine or osteopathy under applicable State law and any
6 advanced practice provider practicing under the supervision of
7 a physician.

8 (b) A health insurance company shall reimburse a physician
9 providing covered health care services in any county for no
10 less than 160% of the Medicare rate then in effect for the same
11 service.

12 (c) If Medicare established multiple payment rates for a
13 service, the reimbursement floor shall be calculated using the
14 rate that most closely corresponds to the setting and type of
15 service.

16 (d) Any contract, policy, or agreement that provides for
17 reimbursement at a rate lower than the minimum reimbursement
18 in subsections (b) and (c) shall be void and unenforceable to
19 the extent of the conflict.

20 (e) A physician shall not waive the protections of this
21 Section as a condition of participation in a health benefit
22 plan or for any other reason.

23 (f) The Department shall enforce this Section and may
24 adopt rules necessary to implement its provisions.

25 (g) A health insurance company that violates this Section
26 shall be subject to:

- 1 (1) civil penalties of up to \$15,000 per individual
- 2 violation;
- 3 (2) payment of restitution to the affected physician;
- 4 and
- 5 (3) any additional remedies authorized by the
- 6 Department.