



Sen. Omar Aquino

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10400SB3181sam001

LRB104 18630 BAB 34576 a

1 AMENDMENT TO SENATE BILL 3181

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3181 by replacing  
3 everything after the enacting clause with the following:

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 "Annual Medical CPI" means the data published periodically  
11 by the United States Bureau of Labor Statistics relating to  
12 the average change in prices for medical care services and  
13 commodities over time.

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

16 "Covered health care service" means any service for which

1 a Medicare rate has been established at the time the physician  
2 service is provided.

3 "Health insurance company" means any insurance company,  
4 health maintenance organization, preferred provider  
5 organization, or other entity that administers a health  
6 insurance plan subject to regulation under the laws of  
7 Illinois.

8 "Health insurance plan" does not include a noncommercial  
9 insurance plan, such as a personal line or a policy of excepted  
10 benefits.

11 "Medicare rate" means the applicable Current Procedural  
12 Terminology (CPT) Code established under the Medicare  
13 Physician Fee Schedule in effect on the date the physician  
14 services are rendered.

15 "Physician" means an individual licensed to practice  
16 medicine or osteopathy under applicable State law and any  
17 advanced practice provider practicing under the supervision of  
18 a physician.

19 (b) On and after January 1, 2027 and until December 31,  
20 2027, a health insurance company shall reimburse a physician  
21 providing covered health care services in any county for no  
22 less than 200% of the Medicare rate then in effect for the same  
23 service. Beginning January 1, 2028 and each January 1  
24 thereafter, the 200% of Medicare rate shall increase to  
25 reflect the Annual Medical CPI.

26 (c) If Medicare established multiple payment rates for a

1 service, the reimbursement floor shall be calculated using the  
2 rate that most closely corresponds to the setting and type of  
3 service.

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

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

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

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

15 (1) civil penalties of up to \$15,000 per individual  
16 violation;

17 (2) payment of restitution to the affected physician;  
18 and

19 (3) any additional remedies authorized by the  
20 Department."