



SJ0049

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1 SENATE JOINT RESOLUTION

2 WHEREAS, As the result of developing technology, an
3 increasing number of medical devices are available and
4 necessary to promote preventive care and longevity among
5 Illinois residents; and

6 WHEREAS, An increasing number of such devices, if
7 available, can prevent further medical issues and dramatically
8 improve the quality of life for Illinois residents relative to
9 a host of medical conditions, including heart disease,
10 musculoskeletal disorders, degenerative disc disease, vascular
11 disease, hydrocephalus, hernia, and diabetes; and

12 WHEREAS, The potential positive effects of access to
13 procedures with medical devices and implants are particularly
14 pronounced for residents who are African Americans, Latinos,
15 women, and of lower income, who experience barriers to
16 accessing care; and

17 WHEREAS, General data, hospital-specific data, studies,
18 and anecdotal evidence demonstrate that the prices that
19 manufacturers charge some hospitals for certain medical
20 devices are rising at excessive rates, and that the prices far
21 outstrip the reimbursement payments that hospitals receive in
22 actually implanting those medical devices, including such

1 medical devices as necessary for knee anthroplasty, shunt
2 revision, lumbar fusion, and ACL reconstruction; and

3 WHEREAS, As a result of this structural financial
4 imbalance in which the price charged for a device by
5 manufacturers far exceeds the payments received by healthcare
6 providers for implanting it, patient access is often limited,
7 and they are therefore deprived of the potential benefits of
8 such devices contributing to health disparities; and

9 WHEREAS, To promote healthcare access and equity for all
10 patients, certain hospitals, including non-profit safety net
11 hospitals, struggle to provide certain medical devices to
12 patients at significant financial cost to the hospitals
13 themselves, which severely impacts their bottom line and their
14 ability to serve their communities in other ways; and

15 WHEREAS, To promote the health and quality of life for
16 Illinois residents, including those who are underserved among
17 the African American, Latino, women, seniors and lower-income
18 population, it is essential that the State develop and
19 establish one or more programs to curb the price that
20 manufacturers charge certain hospitals for certain medical
21 devices; therefore, be it

22 RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL

1 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
2 REPRESENTATIVES CONCURRING HEREIN, that the Director of the
3 Department of Healthcare and Family Services is urged to
4 consult with nonprofit safety net hospitals, including those
5 in Chicago Community Area No. 33 (Near South Side), and craft a
6 report for the General Assembly in which the Director
7 recommends:

8 (1) Particular patient medical devices that will be
9 covered by a future state program that will curb prices
10 paid for medical procedures by patients who are served by
11 nonprofit safety net hospitals, including but not limited
12 to pedicle screws, interference screws, interbody cages,
13 surgical meshes, artificial knees, shunts, and artificial
14 hips;

15 (2) The time, manner, and conditions in which the
16 categories of the particular covered patient medical
17 devices may be expanded;

18 (3) The ceiling price payable for each identified
19 patient medical device by any Illinois nonprofit safety
20 net hospital;

21 (4) The time, manner, and conditions in which each
22 ceiling price may be adjusted upward or downward by the
23 Department in future years; and

24 (5) Any legislation as may be necessary or advisable
25 to establish the future state program; and be it further

1 RESOLVED, That a suitable copy of this resolution be
2 delivered to the Director of the Department of Healthcare and
3 Family Services.