



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4165

by Rep. Gregory Harris

#### SYNOPSIS AS INTRODUCED:

5 ILCS 375/18 new  
215 ILCS 5/356z.29 new  
305 ILCS 5/5-36 new

Amends the State Employees Group Insurance Act of 1971. Prohibits the Director of the Illinois Department of Central Management Services and the State from applying for any federal waiver that would reduce or eliminate any protection or coverage required under the Patient Protection and Affordable Care Act (ACA) that was in effect on January 1, 2017, including, but not limited to, any protection for persons with pre-existing conditions and coverage for services identified as essential health benefits under the ACA. Provides that the Director may apply for such a waiver only if granted authorization by the General Assembly through a joint resolution. Amends the Illinois Insurance Code. Prohibits the State from applying for any federal waiver that would permit an individual or group health insurance plan to reduce or eliminate any protection or coverage required under the ACA that was in effect on January 1, 2017, including, but not limited to, any protection for persons with pre-existing conditions and coverage for services identified as essential health benefits under the ACA. Provides that the State may apply for such a waiver only if granted authorization by the General Assembly through a joint resolution. Amends the Illinois Public Aid Code. Prohibits the State from applying for any waiver of federal Medicaid requirements that would reduce or eliminate any protection or coverage required under the ACA that was in effect on January 1, 2017. Provides that the State may apply for such a waiver only if granted authorization by the General Assembly through a joint resolution. Effective immediately.

LRB100 15528 KTG 30575 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning health care.

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

4 Section 1. The State Employees Group Insurance Act of 1971  
5 is amended by adding Section 18 as follows:

6 (5 ILCS 375/18 new)

7 Sec. 18. Waiver application prohibitions. Notwithstanding  
8 any other law to the contrary, the Director may not apply for  
9 any federal waiver that, if granted, would reduce or eliminate  
10 any protection or coverage required under the Patient  
11 Protection and Affordable Care Act (Public Law 111-148) that  
12 was in effect on January 1, 2017, including, but not limited  
13 to, any protection for persons with pre-existing conditions and  
14 coverage for services identified as essential health benefits  
15 under the Patient Protection and Affordable Care Act. The  
16 Director may apply for such a waiver only if the General  
17 Assembly, by joint resolution approved by a majority of each  
18 chamber, authorizes the Director to apply for a federal waiver  
19 prior to the submission of the waiver application to the U.S.  
20 Department of Health and Human Services.

21 Section 5. The Illinois Insurance Code is amended by adding  
22 Section 356z.29 as follows:

1 (215 ILCS 5/356z.29 new)

2 Sec. 356z.29. Waiver application prohibitions.  
3 Notwithstanding any other law to the contrary, the State may  
4 not apply for any federal waiver that, if granted, would permit  
5 an individual or group health insurance plan to reduce or  
6 eliminate any protection or coverage required under the Patient  
7 Protection and Affordable Care Act (Public Law 111-148) that  
8 was in effect on January 1, 2017, including, but not limited  
9 to, any protection for persons with pre-existing conditions and  
10 coverage for services identified as essential health benefits  
11 under the Patient Protection and Affordable Care Act. The State  
12 may apply for such a waiver only if the General Assembly, by  
13 joint resolution approved by a majority of each chamber,  
14 authorizes the State or an agency of the executive branch to  
15 apply for a federal waiver prior to the submission of the  
16 waiver application to the U.S. Department of Health and Human  
17 Services.

18 Section 10. The Illinois Public Aid Code is amended by  
19 adding Section 5-36 as follows:

20 (305 ILCS 5/5-36 new)

21 Sec. 5-36. Waiver application prohibitions.  
22 Notwithstanding any other law to the contrary, the State may  
23 not apply for any waiver of federal Medicaid requirements that,

1 if granted, would reduce or eliminate any protection or  
2 coverage required under the Patient Protection and Affordable  
3 Care Act (Public Law 111-148) that was in effect on January 1,  
4 2017. The State may apply for such a waiver only if the General  
5 Assembly, by joint resolution approved by a majority of each  
6 chamber, authorizes the State or an agency of the executive  
7 branch to apply for a federal waiver prior to the submission of  
8 the waiver application to the U.S. Department of Health and  
9 Human Services.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.