



Sen. Rachelle Crowe

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LRB101 09808 RPS 60517 a

1 AMENDMENT TO HOUSE BILL 3509

2 AMENDMENT NO. _____. Amend House Bill 3509, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The State Employees Group Insurance Act of 1971
6 is amended by adding Section 6.16 as follows:

7 (5 ILCS 375/6.16 new)

8 Sec. 6.16. Human breast milk coverage.

9 (a) Notwithstanding any other provision of this Act,
10 pasteurized donated human breast milk, which may include human
11 milk fortifiers if indicated by a prescribing licensed medical
12 practitioner, shall be covered under a health plan for persons
13 who are otherwise eligible for coverage under this Act if the
14 covered person is an infant under the age of 6 months, a
15 licensed medical practitioner prescribes the milk for the
16 covered person, and all of the following conditions are met:

1 (1) the milk is obtained from a human milk bank that
2 meets quality guidelines established by the Human Milk
3 Banking Association of North America or is licensed by the
4 Department of Public Health;

5 (2) the infant's mother is medically or physically
6 unable to produce maternal breast milk or produce maternal
7 breast milk in sufficient quantities to meet the infant's
8 needs or the maternal breast milk is contraindicated;

9 (3) the milk has been determined to be medically
10 necessary for the infant; and

11 (4) one or more of the following applies:

12 (A) the infant's birth weight is below 1,500 grams;

13 (B) the infant has a congenital or acquired
14 condition that places the infant at a high risk for
15 development of necrotizing enterocolitis;

16 (C) the infant has infant hypoglycemia;

17 (D) the infant has congenital heart disease;

18 (E) the infant has had or will have an organ
19 transplant;

20 (F) the infant has sepsis; or

21 (G) the infant has any other serious congenital or
22 acquired condition for which the use of donated human
23 breast milk is medically necessary and supports the
24 treatment and recovery of the infant.

25 (b) Notwithstanding any other provision of this Act,
26 pasteurized donated human breast milk, which may include human

1 milk fortifiers if indicated by a prescribing licensed medical
2 practitioner, shall be covered under a health plan for persons
3 who are otherwise eligible for coverage under this Act if the
4 covered person is a child 6 months through 12 months of age, a
5 licensed medical practitioner prescribes the milk for the
6 covered person, and all of the following conditions are met:

7 (1) the milk is obtained from a human milk bank that
8 meets quality guidelines established by the Human Milk
9 Banking Association of North America or is licensed by the
10 Department of Public Health;

11 (2) the child's mother is medically or physically
12 unable to produce maternal breast milk or produce maternal
13 breast milk in sufficient quantities to meet the child's
14 needs or the maternal breast milk is contraindicated;

15 (3) the milk has been determined to be medically
16 necessary for the child; and

17 (4) one or more of the following applies:

18 (A) the child has spinal muscular atrophy;

19 (B) the child's birth weight was below 1,500 grams
20 and he or she has long-term feeding or gastrointestinal
21 complications related to prematurity;

22 (C) the child has had or will have an organ
23 transplant; or

24 (D) the child has a congenital or acquired
25 condition for which the use of donated human breast
26 milk is medically necessary and supports the treatment

1 and recovery of the child.

2 Section 10. The Illinois Insurance Code is amended by
3 adding Section 356z.33 as follows:

4 (215 ILCS 5/356z.33 new)

5 Sec. 356z.33. Human breast milk coverage.

6 (a) Notwithstanding any other provision of this Act,
7 pasteurized donated human breast milk, which may include human
8 milk fortifiers if indicated by a prescribing licensed medical
9 practitioner, shall be covered under an individual or group
10 health insurance for persons who are otherwise eligible for
11 coverage under this Act if the covered person is an infant
12 under the age of 6 months, a licensed medical practitioner
13 prescribes the milk for the covered person, and all of the
14 following conditions are met:

15 (1) the milk is obtained from a human milk bank that
16 meets quality guidelines established by the Human Milk
17 Banking Association of North America or is licensed by the
18 Department of Public Health;

19 (2) the infant's mother is medically or physically
20 unable to produce maternal breast milk or produce maternal
21 breast milk in sufficient quantities to meet the infant's
22 needs or the maternal breast milk is contraindicated;

23 (3) the milk has been determined to be medically
24 necessary for the infant; and

1 (4) one or more of the following applies:

2 (A) the infant's birth weight is below 1,500 grams;

3 (B) the infant has a congenital or acquired
4 condition that places the infant at a high risk for
5 development of necrotizing enterocolitis;

6 (C) the infant has infant hypoglycemia;

7 (D) the infant has congenital heart disease;

8 (E) the infant has had or will have an organ
9 transplant;

10 (F) the infant has sepsis; or

11 (G) the infant has any other serious congenital or
12 acquired condition for which the use of donated human
13 breast milk is medically necessary and supports the
14 treatment and recovery of the infant.

15 (b) Notwithstanding any other provision of this Act,
16 pasteurized donated human breast milk, which may include human
17 milk fortifiers if indicated by a prescribing licensed medical
18 practitioner, shall be covered under an individual or group
19 health insurance for persons who are otherwise eligible for
20 coverage under this Act if the covered person is a child 6
21 months through 12 months of age, a licensed medical
22 practitioner prescribes the milk for the covered person, and
23 all of the following conditions are met:

24 (1) the milk is obtained from a human milk bank that
25 meets quality guidelines established by the Human Milk
26 Banking Association of North America or is licensed by the

1 Department of Public Health;

2 (2) the child's mother is medically or physically
3 unable to produce maternal breast milk or produce maternal
4 breast milk in sufficient quantities to meet the child's
5 needs or the maternal breast milk is contraindicated;

6 (3) the milk has been determined to be medically
7 necessary for the child; and

8 (4) one or more of the following applies:

9 (A) the child has spinal muscular atrophy;

10 (B) the child's birth weight was below 1,500 grams
11 and he or she has long-term feeding or gastrointestinal
12 complications related to prematurity;

13 (C) the child has had or will have an organ
14 transplant; or

15 (D) the child has a congenital or acquired
16 condition for which the use of donated human breast
17 milk is medically necessary and supports the treatment
18 and recovery of the child.

19 Section 15. The Illinois Public Aid Code is amended by
20 adding Section 5-40 as follows:

21 (305 ILCS 5/5-40 new)

22 Sec. 5-40. Human breast milk coverage.

23 (a) Notwithstanding any other provision of this Act,
24 pasteurized donated human breast milk, which may include human

1 milk fortifiers if indicated by a prescribing licensed medical
2 practitioner, shall be covered under a health plan for persons
3 who are otherwise eligible for coverage under this Act if the
4 covered person is an infant under the age of 6 months, a
5 licensed medical practitioner prescribes the milk for the
6 covered person, and all of the following conditions are met:

7 (1) the milk is obtained from a human milk bank that
8 meets quality guidelines established by the Human Milk
9 Banking Association of North America or is licensed by the
10 Department of Public Health;

11 (2) the infant's mother is medically or physically
12 unable to produce maternal breast milk or produce maternal
13 breast milk in sufficient quantities to meet the infant's
14 needs or the maternal breast milk is contraindicated;

15 (3) the milk has been determined to be medically
16 necessary for the infant; and

17 (4) one or more of the following applies:

18 (A) the infant's birth weight is below 1,500 grams;

19 (B) the infant has a congenital or acquired
20 condition that places the infant at a high risk for
21 development of necrotizing enterocolitis;

22 (C) the infant has infant hypoglycemia;

23 (D) the infant has congenital heart disease;

24 (E) the infant has had or will have an organ
25 transplant;

26 (F) the infant has sepsis; or

1 (G) the infant has any other serious congenital or
2 acquired condition for which the use of donated human
3 breast milk is medically necessary and supports the
4 treatment and recovery of the infant.

5 (b) Notwithstanding any other provision of this Act,
6 pasteurized donated human breast milk, which may include human
7 milk fortifiers if indicated by a prescribing licensed medical
8 practitioner, shall be covered under a health plan for persons
9 who are otherwise eligible for coverage under this Act if the
10 covered person is a child 6 months through 12 months of age, a
11 licensed medical practitioner prescribes the milk for the
12 covered person, and all of the following conditions are met:

13 (1) the milk is obtained from a human milk bank that
14 meets quality guidelines established by the Human Milk
15 Banking Association of North America or is licensed by the
16 Department of Public Health;

17 (2) the child's mother is medically or physically
18 unable to produce maternal breast milk or produce maternal
19 breast milk in sufficient quantities to meet the child's
20 needs or the maternal breast milk is contraindicated;

21 (3) the milk has been determined to be medically
22 necessary for the child; and

23 (4) one or more of the following applies:

24 (A) the child has spinal muscular atrophy;

25 (B) the child's birth weight was below 1,500 grams
26 and he or she has long-term feeding or gastrointestinal

1 complications related to prematurity;

2 (C) the child has had or will have an organ
3 transplant; or

4 (D) the child has a congenital or acquired
5 condition for which the use of donated human breast
6 milk is medically necessary and supports the treatment
7 and recovery of the child.

8 (c) Notwithstanding any other provision of this Act,
9 pasteurized donated human breast milk, which may include human
10 milk fortifiers if indicated by a prescribing licensed medical
11 practitioner, shall be covered under a health plan for persons
12 who are otherwise eligible for coverage under this Act if the
13 covered person is a child 12 months of age or older, a licensed
14 medical practitioner prescribes the milk for the covered
15 person, and all of the following conditions are met:

16 (1) the milk is obtained from a human milk bank that
17 meets quality guidelines established by the Human Milk
18 Banking Association of North America or is licensed by the
19 Department of Public Health;

20 (2) the child's mother is medically or physically
21 unable to produce maternal breast milk or produce maternal
22 breast milk in sufficient quantities to meet the child's
23 needs or the maternal breast milk is contraindicated;

24 (3) the milk has been determined to be medically
25 necessary for the child; and

26 (4) the child has spinal muscular atrophy.

1 Section 99. Effective date. This Act takes effect January
2 1, 2020."