



Rep. Robyn Gabel

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1 AMENDMENT TO HOUSE BILL 579

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 579 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Insurance Law is amended by  
5 adding Section 1405-50 as follows:

6 (20 ILCS 1405/1405-50 new)

7 Sec. 1405-50. Marketplace Director of the Illinois Health  
8 Benefits Exchange. The Governor shall appoint a person within  
9 the Department of Insurance to serve as the Marketplace  
10 Director of the Illinois Health Benefits Exchange. This person  
11 may be an existing employee with other duties. The Marketplace  
12 Director shall receive an annual salary as set by the Governor  
13 and shall be paid out of the appropriations to the Department.  
14 The Marketplace Director shall not be subject to the Personnel  
15 Code. The Marketplace Director, under the direction of the  
16 Director, shall manage the operations and staff of the

1 Illinois Health Benefits Exchange to ensure optimal exchange  
2 performance.

3 Section 10. The State Finance Act is amended by adding  
4 Section 5.990 as follows:

5 (30 ILCS 105/5.990 new)

6 Sec. 5.990. The Illinois Health Benefits Exchange Fund.

7 Section 15. The Illinois Procurement Code is amended by  
8 changing Section 1-10 as follows:

9 (30 ILCS 500/1-10)

10 Sec. 1-10. Application.

11 (a) This Code applies only to procurements for which  
12 bidders, offerors, potential contractors, or contractors were  
13 first solicited on or after July 1, 1998. This Code shall not  
14 be construed to affect or impair any contract, or any  
15 provision of a contract, entered into based on a solicitation  
16 prior to the implementation date of this Code as described in  
17 Article 99, including, but not limited to, any covenant  
18 entered into with respect to any revenue bonds or similar  
19 instruments. All procurements for which contracts are  
20 solicited between the effective date of Articles 50 and 99 and  
21 July 1, 1998 shall be substantially in accordance with this  
22 Code and its intent.

1 (b) This Code shall apply regardless of the source of the  
2 funds with which the contracts are paid, including federal  
3 assistance moneys. This Code shall not apply to:

4 (1) Contracts between the State and its political  
5 subdivisions or other governments, or between State  
6 governmental bodies, except as specifically provided in  
7 this Code.

8 (2) Grants, except for the filing requirements of  
9 Section 20-80.

10 (3) Purchase of care, except as provided in Section  
11 5-30.6 of the Illinois Public Aid Code and this Section.

12 (4) Hiring of an individual as an employee and not as  
13 an independent contractor, whether pursuant to an  
14 employment code or policy or by contract directly with  
15 that individual.

16 (5) Collective bargaining contracts.

17 (6) Purchase of real estate, except that notice of  
18 this type of contract with a value of more than \$25,000  
19 must be published in the Procurement Bulletin within 10  
20 calendar days after the deed is recorded in the county of  
21 jurisdiction. The notice shall identify the real estate  
22 purchased, the names of all parties to the contract, the  
23 value of the contract, and the effective date of the  
24 contract.

25 (7) Contracts necessary to prepare for anticipated  
26 litigation, enforcement actions, or investigations,

1 provided that the chief legal counsel to the Governor  
2 shall give his or her prior approval when the procuring  
3 agency is one subject to the jurisdiction of the Governor,  
4 and provided that the chief legal counsel of any other  
5 procuring entity subject to this Code shall give his or  
6 her prior approval when the procuring entity is not one  
7 subject to the jurisdiction of the Governor.

8 (8) (Blank).

9 (9) Procurement expenditures by the Illinois  
10 Conservation Foundation when only private funds are used.

11 (10) (Blank).

12 (11) Public-private agreements entered into according  
13 to the procurement requirements of Section 20 of the  
14 Public-Private Partnerships for Transportation Act and  
15 design-build agreements entered into according to the  
16 procurement requirements of Section 25 of the  
17 Public-Private Partnerships for Transportation Act.

18 (12) (A) Contracts for legal, financial, and other  
19 professional and artistic services entered into by the  
20 Illinois Finance Authority in which the State of Illinois  
21 is not obligated. Such contracts shall be awarded through  
22 a competitive process authorized by the members of the  
23 Illinois Finance Authority and are subject to Sections  
24 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
25 as well as the final approval by the members of the  
26 Illinois Finance Authority of the terms of the contract.

1 (B) Contracts for legal and financial services entered  
2 into by the Illinois Housing Development Authority in  
3 connection with the issuance of bonds in which the State  
4 of Illinois is not obligated. Such contracts shall be  
5 awarded through a competitive process authorized by the  
6 members of the Illinois Housing Development Authority and  
7 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
8 and 50-37 of this Code, as well as the final approval by  
9 the members of the Illinois Housing Development Authority  
10 of the terms of the contract.

11 (13) Contracts for services, commodities, and  
12 equipment to support the delivery of timely forensic  
13 science services in consultation with and subject to the  
14 approval of the Chief Procurement Officer as provided in  
15 subsection (d) of Section 5-4-3a of the Unified Code of  
16 Corrections, except for the requirements of Sections  
17 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
18 Code; however, the Chief Procurement Officer may, in  
19 writing with justification, waive any certification  
20 required under Article 50 of this Code. For any contracts  
21 for services which are currently provided by members of a  
22 collective bargaining agreement, the applicable terms of  
23 the collective bargaining agreement concerning  
24 subcontracting shall be followed.

25 On and after January 1, 2019, this paragraph (13),  
26 except for this sentence, is inoperative.

1           (14) Contracts for participation expenditures required  
2           by a domestic or international trade show or exhibition of  
3           an exhibitor, member, or sponsor.

4           (15) Contracts with a railroad or utility that  
5           requires the State to reimburse the railroad or utilities  
6           for the relocation of utilities for construction or other  
7           public purpose. Contracts included within this paragraph  
8           (15) shall include, but not be limited to, those  
9           associated with: relocations, crossings, installations,  
10          and maintenance. For the purposes of this paragraph (15),  
11          "railroad" means any form of non-highway ground  
12          transportation that runs on rails or electromagnetic  
13          guideways and "utility" means: (1) public utilities as  
14          defined in Section 3-105 of the Public Utilities Act, (2)  
15          telecommunications carriers as defined in Section 13-202  
16          of the Public Utilities Act, (3) electric cooperatives as  
17          defined in Section 3.4 of the Electric Supplier Act, (4)  
18          telephone or telecommunications cooperatives as defined in  
19          Section 13-212 of the Public Utilities Act, (5) rural  
20          water or waste water systems with 10,000 connections or  
21          less, (6) a holder as defined in Section 21-201 of the  
22          Public Utilities Act, and (7) municipalities owning or  
23          operating utility systems consisting of public utilities  
24          as that term is defined in Section 11-117-2 of the  
25          Illinois Municipal Code.

26          (16) Procurement expenditures necessary for the

1 Department of Public Health to provide the delivery of  
2 timely newborn screening services in accordance with the  
3 Newborn Metabolic Screening Act.

4 (17) Procurement expenditures necessary for the  
5 Department of Agriculture, the Department of Financial and  
6 Professional Regulation, the Department of Human Services,  
7 and the Department of Public Health to implement the  
8 Compassionate Use of Medical Cannabis Program and Opioid  
9 Alternative Pilot Program requirements and ensure access  
10 to medical cannabis for patients with debilitating medical  
11 conditions in accordance with the Compassionate Use of  
12 Medical Cannabis Program Act.

13 (18) This Code does not apply to any procurements  
14 necessary for the Department of Agriculture, the  
15 Department of Financial and Professional Regulation, the  
16 Department of Human Services, the Department of Commerce  
17 and Economic Opportunity, and the Department of Public  
18 Health to implement the Cannabis Regulation and Tax Act if  
19 the applicable agency has made a good faith determination  
20 that it is necessary and appropriate for the expenditure  
21 to fall within this exemption and if the process is  
22 conducted in a manner substantially in accordance with the  
23 requirements of Sections 20-160, 25-60, 30-22, 50-5,  
24 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,  
25 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
26 Section 50-35, compliance applies only to contracts or

1       subcontracts over \$100,000. Notice of each contract  
2 entered into under this paragraph (18) that is related to  
3 the procurement of goods and services identified in  
4 paragraph (1) through (9) of this subsection shall be  
5 published in the Procurement Bulletin within 14 calendar  
6 days after contract execution. The Chief Procurement  
7 Officer shall prescribe the form and content of the  
8 notice. Each agency shall provide the Chief Procurement  
9 Officer, on a monthly basis, in the form and content  
10 prescribed by the Chief Procurement Officer, a report of  
11 contracts that are related to the procurement of goods and  
12 services identified in this subsection. At a minimum, this  
13 report shall include the name of the contractor, a  
14 description of the supply or service provided, the total  
15 amount of the contract, the term of the contract, and the  
16 exception to this Code utilized. A copy of any or all of  
17 these contracts shall be made available to the Chief  
18 Procurement Officer immediately upon request. The Chief  
19 Procurement Officer shall submit a report to the Governor  
20 and General Assembly no later than November 1 of each year  
21 that includes, at a minimum, an annual summary of the  
22 monthly information reported to the Chief Procurement  
23 Officer. This exemption becomes inoperative 5 years after  
24 June 25, 2019 (the effective date of Public Act 101-27).

25       (19) Acquisition of modifications or adjustments,  
26 limited to assistive technology devices and assistive



1 technology services, adaptive equipment, repairs, and  
2 replacement parts to provide reasonable accommodations (i)  
3 that enable a qualified applicant with a disability to  
4 complete the job application process and be considered for  
5 the position such qualified applicant desires, (ii) that  
6 modify or adjust the work environment to enable a  
7 qualified current employee with a disability to perform  
8 the essential functions of the position held by that  
9 employee, (iii) to enable a qualified current employee  
10 with a disability to enjoy equal benefits and privileges  
11 of employment as are enjoyed by other similarly situated  
12 employees without disabilities, and (iv) that allow a  
13 customer, client, claimant, or member of the public  
14 seeking State services full use and enjoyment of and  
15 access to its programs, services, or benefits.

16 For purposes of this paragraph (19):

17 "Assistive technology devices" means any item, piece  
18 of equipment, or product system, whether acquired  
19 commercially off the shelf, modified, or customized, that  
20 is used to increase, maintain, or improve functional  
21 capabilities of individuals with disabilities.

22 "Assistive technology services" means any service that  
23 directly assists an individual with a disability in  
24 selection, acquisition, or use of an assistive technology  
25 device.

26 "Qualified" has the same meaning and use as provided

1 under the federal Americans with Disabilities Act when  
2 describing an individual with a disability.

3 (20) Procurement expenditures necessary for the  
4 Illinois Commerce Commission to hire third-party  
5 facilitators pursuant to Sections 16-105.17 and 16-108.18  
6 of the Public Utilities Act or an ombudsman pursuant to  
7 Section 16-107.5 of the Public Utilities Act, a  
8 facilitator pursuant to Section 16-105.17 of the Public  
9 Utilities Act, or a grid auditor pursuant to Section  
10 16-105.10 of the Public Utilities Act.

11 (21) Procurement expenditures for the purchase,  
12 renewal, and expansion of software, software licenses, or  
13 software maintenance agreements that support the efforts  
14 of the Illinois State Police to enforce, regulate, and  
15 administer the Firearm Owners Identification Card Act, the  
16 Firearm Concealed Carry Act, the Firearms Restraining  
17 Order Act, the Firearm Dealer License Certification Act,  
18 the Law Enforcement Agencies Data System (LEADS), the  
19 Uniform Crime Reporting Act, the Criminal Identification  
20 Act, the Uniform Conviction Information Act, and the Gun  
21 Trafficking Information Act, or establish or maintain  
22 record management systems necessary to conduct human  
23 trafficking investigations or gun trafficking or other  
24 stolen firearm investigations. This paragraph (21) applies  
25 to contracts entered into on or after the effective date  
26 of this amendatory Act of the 102nd General Assembly and

1 the renewal of contracts that are in effect on the  
2 effective date of this amendatory Act of the 102nd General  
3 Assembly.

4 (22) This Code does not apply to any procurements  
5 necessary for the Department of Insurance to implement the  
6 Illinois Health Benefits Exchange Law if the Department of  
7 Insurance has made a good faith determination that it is  
8 necessary and appropriate for the expenditure to fall  
9 within this exemption and if the process is conducted in a  
10 manner substantially in accordance with the requirements  
11 of Sections 20-160, 25-60, 30-22, 50-5, 50-10, 50-10.5,  
12 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37,  
13 50-38, and 50-50 of this Code; however, for Section 50-35,  
14 compliance applies only to contracts or subcontracts over  
15 \$100,000. The requirements of the Business Enterprise for  
16 Minorities, Women, and Persons with Disabilities Act shall  
17 apply to any procurements conducted by the Department of  
18 Insurance under this exemption. Notice of each contract  
19 entered into under this paragraph (22) that is related to  
20 the procurement of goods and services identified in  
21 paragraph (1) through (9) of this subsection shall be  
22 published in the Procurement Bulletin within 14 calendar  
23 days after contract execution. The Chief Procurement  
24 Officer shall prescribe the form and content of the  
25 notice. The Department of Insurance shall provide the  
26 Chief Procurement Officer, on a monthly basis, in the form

1       and content prescribed by the Chief Procurement Officer, a  
2       report of contracts that are related to the procurement of  
3       goods and services identified in this subsection. At a  
4       minimum, this report shall include the name of the  
5       contractor, a description of the supply or service  
6       provided, the total amount of the contract, the term of  
7       the contract, and the exception to this Code utilized. A  
8       copy of any of these contracts shall be made available to  
9       the Chief Procurement Officer immediately upon request.  
10       The Chief Procurement Officer shall submit a report to the  
11       Governor and General Assembly no later than November 1 of  
12       each year that includes, at a minimum, an annual summary  
13       of the monthly information reported to the Chief  
14       Procurement Officer. This paragraph is inoperative 5 years  
15       after the effective date of this amendatory Act of the  
16       103rd General Assembly.

17       Notwithstanding any other provision of law, for contracts  
18       with an annual value of more than \$100,000 entered into on or  
19       after October 1, 2017 under an exemption provided in any  
20       paragraph of this subsection (b), except paragraph (1), (2),  
21       or (5), each State agency shall post to the appropriate  
22       procurement bulletin the name of the contractor, a description  
23       of the supply or service provided, the total amount of the  
24       contract, the term of the contract, and the exception to the  
25       Code utilized. The chief procurement officer shall submit a  
26       report to the Governor and General Assembly no later than

1 November 1 of each year that shall include, at a minimum, an  
2 annual summary of the monthly information reported to the  
3 chief procurement officer.

4 (c) This Code does not apply to the electric power  
5 procurement process provided for under Section 1-75 of the  
6 Illinois Power Agency Act and Section 16-111.5 of the Public  
7 Utilities Act.

8 (d) Except for Section 20-160 and Article 50 of this Code,  
9 and as expressly required by Section 9.1 of the Illinois  
10 Lottery Law, the provisions of this Code do not apply to the  
11 procurement process provided for under Section 9.1 of the  
12 Illinois Lottery Law.

13 (e) This Code does not apply to the process used by the  
14 Capital Development Board to retain a person or entity to  
15 assist the Capital Development Board with its duties related  
16 to the determination of costs of a clean coal SNG brownfield  
17 facility, as defined by Section 1-10 of the Illinois Power  
18 Agency Act, as required in subsection (h-3) of Section 9-220  
19 of the Public Utilities Act, including calculating the range  
20 of capital costs, the range of operating and maintenance  
21 costs, or the sequestration costs or monitoring the  
22 construction of clean coal SNG brownfield facility for the  
23 full duration of construction.

24 (f) (Blank).

25 (g) (Blank).

26 (h) This Code does not apply to the process to procure or

1 contracts entered into in accordance with Sections 11-5.2 and  
2 11-5.3 of the Illinois Public Aid Code.

3 (i) Each chief procurement officer may access records  
4 necessary to review whether a contract, purchase, or other  
5 expenditure is or is not subject to the provisions of this  
6 Code, unless such records would be subject to attorney-client  
7 privilege.

8 (j) This Code does not apply to the process used by the  
9 Capital Development Board to retain an artist or work or works  
10 of art as required in Section 14 of the Capital Development  
11 Board Act.

12 (k) This Code does not apply to the process to procure  
13 contracts, or contracts entered into, by the State Board of  
14 Elections or the State Electoral Board for hearing officers  
15 appointed pursuant to the Election Code.

16 (l) This Code does not apply to the processes used by the  
17 Illinois Student Assistance Commission to procure supplies and  
18 services paid for from the private funds of the Illinois  
19 Prepaid Tuition Fund. As used in this subsection (l), "private  
20 funds" means funds derived from deposits paid into the  
21 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

22 (m) This Code shall apply regardless of the source of  
23 funds with which contracts are paid, including federal  
24 assistance moneys. Except as specifically provided in this  
25 Code, this Code shall not apply to procurement expenditures  
26 necessary for the Department of Public Health to conduct the

1 Healthy Illinois Survey in accordance with Section 2310-431 of  
2 the Department of Public Health Powers and Duties Law of the  
3 Civil Administrative Code of Illinois.

4 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;  
5 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff  
6 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,  
7 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;  
8 102-1116, eff. 1-10-23.)

9 Section 20. The Illinois Health Benefits Exchange Law is  
10 amended by changing Section 5-5 and by adding Sections 5-21,  
11 5-22, 5-23, and 5-24 as follows:

12 (215 ILCS 122/5-5)

13 Sec. 5-5. State health benefits exchange. It is declared  
14 that this State, beginning October 1, 2013, in accordance with  
15 Section 1311 of the federal Patient Protection and Affordable  
16 Care Act, shall establish a State health benefits exchange to  
17 be known as the Illinois Health Benefits Exchange in order to  
18 help individuals and small employers with no more than 50  
19 employees shop for, select, and enroll in qualified,  
20 affordable private health plans that fit their needs at  
21 competitive prices. The Exchange shall separate coverage pools  
22 for individuals and small employers and shall supplement and  
23 not supplant any existing private health insurance market for  
24 individuals and small employers. The Department of Insurance

1 shall operate the Illinois Health Benefits Exchange as a  
2 State-based exchange using the federal platform by plan year  
3 2025 and as a State-based exchange by plan year 2026. The  
4 Director of Insurance may require that all plans in the  
5 individual and small group markets, other than grandfathered  
6 health plans, be made available for comparison on the Illinois  
7 Health Benefits Exchange, but may not require that all plans  
8 in the individual and small group markets be purchased  
9 exclusively on the Illinois Health Benefits Exchange. The  
10 Director of Insurance may require that plans offered on the  
11 exchange conform with standardized plan designs that provide  
12 for standardized cost sharing for covered health services.  
13 Except when it is inconsistent with State law, the Department  
14 of Insurance shall enforce the coverage requirements under the  
15 federal Patient Protection and Affordable Care Act, including  
16 the coverage of all United States Preventive Services Task  
17 Force Grade A and B preventive services without cost sharing  
18 notwithstanding any federal overturning or repeal of 42 U.S.C.  
19 300gg-13(a)(1), that apply to the individual and small group  
20 markets. The Director of Insurance may elect to add a small  
21 business health options program to the Illinois Health  
22 Benefits Exchange to help small employers enroll their  
23 employees in qualified health plans in the small group market.  
24 The General Assembly shall appropriate funds to establish the  
25 Illinois Health Benefits Exchange.

26 (Source: P.A. 97-142, eff. 7-14-11.)



1 (215 ILCS 122/5-21 new)

2 Sec. 5-21. Monthly assessments.

3 (a) The Director of Insurance may apply a monthly  
4 assessment to each health benefits plan sold on the Illinois  
5 Health Benefits Exchange. The assessment shall be paid by the  
6 issuer and to the Department of Insurance and shall be used  
7 only for the purpose of supporting the exchange through  
8 exchange operations, outreach, enrollment, and other means of  
9 supporting the exchange, including any efforts that may result  
10 in a benefit to policyholders. The assessment may be applied  
11 at a rate of:

12 (1) 0.5% of the total monthly premium charged by an  
13 issuer for each health benefits plan during any period  
14 that the State is on a State-based exchange using the  
15 federal platform; or

16 (2) 2.75% of the total monthly premium charged by an  
17 issuer for each health benefits plan during any period  
18 that the State is on the State-based exchange. The  
19 Director of Insurance shall adjust this rate to ensure  
20 that the Illinois Health Benefits Exchange is fully  
21 funded, but in no case shall the assessment be applied at a  
22 rate that exceeds 4% of the total monthly premium charged  
23 by a carrier. If the Director determines it is necessary  
24 to adjust the rate pursuant to this paragraph, the  
25 Director shall, in advance of the adjustment, post on the

1        Department's website a report describing the reasons and  
2        justifications for the adjustment, which shall be  
3        consistent with the purposes of supporting the Illinois  
4        Health Benefits Exchange as provided in this Section, at  
5        least 120 days before the implementation of the rate  
6        adjustment.

7        (b) The Director of Insurance shall notify an issuer 120  
8        days before the implementation of its assessment rate for the  
9        subsequent year. Issuers must remit the assessment due in  
10       monthly installments to the Department of Insurance.

11       (c) The assessment described in this Section shall be  
12       considered a special purpose obligation and may not be applied  
13       by issuers to vary premium rates at the plan level.

14       (d) There is created a special fund within the State  
15       treasury to be known as the Illinois Health Benefits Exchange  
16       Fund. The Illinois Health Benefits Exchange Fund shall be the  
17       repository for moneys collected pursuant to fees or  
18       assessments on exchange issuers, federal financial  
19       participation as appropriate, and other moneys received as  
20       grants or otherwise appropriated for the purposes of  
21       supporting health insurance outreach, enrollment efforts, and  
22       plan management operations through an exchange. All moneys in  
23       the Fund shall be used, subject to appropriation, only for the  
24       purpose of supporting the exchange through exchange  
25       operations, outreach, enrollment, and other means of  
26       supporting the exchange, including any efforts that may result

1 in a benefit to policyholders.

2 (215 ILCS 122/5-22 new)

3 Sec. 5-22. State medical assistance program coordination.

4 (a) The Department of Insurance and the Department of  
5 Healthcare and Family Services shall coordinate the operations  
6 of the exchange with the operations of State medical  
7 assistance programs. The Department of Healthcare and Family  
8 Services shall oversee and operate the exchange eligibility  
9 rules engine to ensure accurate assessments and determinations  
10 of exchange and State medical assistance program eligibility.

11 (b) The exchange may determine eligibility for State  
12 medical assistance programs that use the modified adjusted  
13 gross income methodology.

14 (c) The exchange may be used for enrollment into State  
15 medical assistance program health plans.

16 (d) The Department of Healthcare and Family Services shall  
17 request federal financial participation funds from the Centers  
18 for Medicare and Medicaid Services for any integrated  
19 eligibility and enrollment functions of the exchange.

20 (215 ILCS 122/5-23 new)

21 Sec. 5-23. Department of Insurance and Department of  
22 Healthcare and Family Services authority.

23 (a) The Department of Insurance and the Department of  
24 Healthcare and Family Services, in addition to the powers

1 granted under the Illinois Insurance Code and the Illinois  
2 Public Aid Code, have the power necessary to establish and  
3 operate the Illinois Health Benefits Exchange, including, but  
4 not limited to, the authority to:

5 (1) adopt rules deemed necessary by the departments to  
6 implement this Law;

7 (2) employ or retain sufficient personnel to provide  
8 administration, staffing, and necessary related support  
9 required to adequately discharge the duties described in  
10 this Law from funds held in the Illinois Health Benefits  
11 Exchange Fund;

12 (3) procure services, including a call center, and  
13 goods for the purpose of establishing the Illinois Health  
14 Benefits Exchange, including, but not limited to,  
15 procurements in conformance with paragraph (22) of  
16 subsection (b) of Section 1-10 of the Illinois Procurement  
17 Code; and

18 (4) require any exchange vendor to have experience  
19 operating a State-based exchange in another state.

20 (b) The Department of Insurance has the authority to  
21 employ a Marketplace Director of the Illinois Health Benefits  
22 Exchange.

23 (215 ILCS 122/5-24 new)

24 Sec. 5-24. Illinois Health Benefits Exchange Advisory  
25 Committee.

1       (a) The Director of Insurance shall establish the Illinois  
2 Health Benefits Exchange Advisory Committee no later than  
3 December 31, 2023. The Illinois Health Benefits Exchange  
4 Advisory Committee shall be tasked with making recommendations  
5 to the Marketplace Director of the Illinois Health Benefits  
6 Exchange concerning the operation of the exchange, and the  
7 Committee shall hold its first meeting no later than 90 days  
8 following the establishment of the Committee and shall meet  
9 quarterly thereafter. The Marketplace Director shall make a  
10 quarterly report to the Committee.

11       (b) The Department of Insurance shall present regular and  
12 timely reports to the Illinois Health Benefits Exchange  
13 Advisory Committee regarding the progress in the development  
14 and ongoing operations of the Illinois Health Benefits  
15 Exchange before its establishment by plan year 2026. The  
16 reports shall be posted to the Department of Insurance's  
17 website and include information on the Department of  
18 Insurance's progress toward establishing and maintaining the  
19 Illinois Health Benefits Exchange with the goal of ensuring an  
20 effective and efficient transition from the federal platform  
21 to the State-based exchange for individuals, employers, and  
22 health insurance issuers while mitigating loss of health  
23 insurance coverage for any potential consumer. The Department  
24 of Insurance's progress reports shall provide information  
25 including, but not limited to, transparency, user  
26 understandability, plan compliance, outreach and education,

1 systems operations, and annual fiscal projections. The  
2 Department of Insurance shall gather stakeholder input in  
3 developing operational plans and preparing the reports for the  
4 Illinois Health Benefits Exchange Advisory Committee.

5 (c) The Illinois Health Benefits Exchange Advisory  
6 Committee shall include the following members:

7 (1) The Director of Insurance, or the Director's  
8 designee, who shall serve ex officio and as co-chair;

9 (2) The Director of Healthcare and Family Services, or  
10 the Director's designee, who shall serve ex officio and as  
11 co-chair;

12 (3) The Secretary of Human Services, or the  
13 Secretary's designee, who shall serve ex officio; and

14 (4) 10 public members, who shall be residents of this  
15 State, appointed by the Director of Insurance. The  
16 Director shall consider the diversity of this State in the  
17 selection of the committee members. The public members  
18 shall include:

19 (A) one representative of a statewide organization  
20 representing a majority of Illinois hospitals;

21 (B) one representative of a statewide insurance  
22 producer professional trade association whose  
23 membership is primarily composed of individuals  
24 licensed under the Illinois Insurance Code;

25 (C) 2 representatives of a health insurance  
26 consumer advocacy group;

1           (D) one representative with expertise in  
2           enrollment and consumer assistance;

3           (E) 2 representatives of health insurance issuers  
4           or issuer trade associations, at least one of which  
5           represents a State-domiciled mutual health insurance  
6           company, with a demonstrated expertise in the business  
7           of health insurance or health benefits administration;

8           (F) one representative of a statewide association  
9           representing small business owners;

10          (G) one representative of a statewide organization  
11          representing physicians; and

12          (H) one academic or research professional with  
13          expertise in health insurance.

14          (d) Members of the Illinois Health Benefits Exchange  
15          Advisory Committee shall serve for a term of 2 years, shall  
16          serve without compensation, and shall not be entitled to  
17          reimbursement. The Department of Insurance shall provide  
18          administrative support to the Illinois Health Benefits  
19          Exchange Advisory Committee.

20          (e) The Committee's quarterly meetings shall be open to  
21          the public and subject to the Open Meetings Act.

22                 Section 99. Effective date. This Act takes effect upon  
23                 becoming law."