



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4025

Introduced 3/23/2023, by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

215 ILCS 124/30

Amends the Network Adequacy and Transparency Act. Provides that the Department of Insurance shall create a Network Adequacy Unit within the Department for the purpose of investigating insurers for compliance with the Act and enforcing its provisions. Provides that the Director of Insurance may hire and retain insurance analysts, managers, actuaries, and any other staff necessary to operate the Network Adequacy Unit. Provides that the Director may, in the Director's sole discretion, publicly acknowledge the existence of an ongoing network adequacy market conduct examination before filing the examination report. Effective July 1, 2023.

LRB103 31469 BMS 59243 b

1 AN ACT concerning regulation.

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

4 Section 5. The Network Adequacy and Transparency Act is
5 amended by changing Section 30 as follows:

6 (215 ILCS 124/30)

7 Sec. 30. Administration and enforcement.

8 (a) Insurers, as defined in this Act, have a continuing
9 obligation to comply with the requirements of this Act. Other
10 than the duties specifically created in this Act, nothing in
11 this Act is intended to preclude, prevent, or require the
12 adoption, modification, or termination of any utilization
13 management, quality management, or claims processing
14 methodologies of an insurer.

15 (b) Nothing in this Act precludes, prevents, or requires
16 the adoption, modification, or termination of any network plan
17 term, benefit, coverage or eligibility provision, or payment
18 methodology.

19 (c) The Director shall enforce the provisions of this Act
20 pursuant to the enforcement powers granted to it by law.

21 (d) The Department shall adopt rules to enforce compliance
22 with this Act to the extent necessary.

23 (e) The Department shall create a Network Adequacy Unit

1 within the Department for the purpose of investigating
2 insurers for compliance with this Act and enforcing its
3 provisions. The Director may hire and retain insurance
4 analysts, managers, actuaries, and any other staff necessary
5 to operate the Network Adequacy Unit.

6 (f) The Director may, in the Director's sole discretion,
7 publicly acknowledge the existence of an ongoing network
8 adequacy market conduct examination before filing the
9 examination report, notwithstanding any provision of law to
10 the contrary.

11 (Source: P.A. 100-502, eff. 9-15-17.)

12 Section 99. Effective date. This Act takes effect July 1,
13 2023.