

1 AMENDMENT TO HOUSE BILL 1073

2 AMENDMENT NO. _____. Amend House Bill 1073 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. The Department of Insurance Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 1405-35 as follows:

7 (20 ILCS 1405/1405-35 new)

8 Sec. 1405-35. Brain injury coverage study.

9 (a) The Department of Insurance shall conduct an
10 analysis and study of costs and benefits derived from the
11 implementation of the coverage requirements for treatment of
12 brain injuries established under Section 356z.4 of the
13 Illinois Insurance Code. The study shall cover the years
14 2004, 2005, and 2006. The study shall include an analysis of
15 the effect of the coverage requirements on the cost of
16 insurance and health care, the results of the treatments to
17 patients, any improvements in the care of patients, and any
18 improvements in the quality of life of patients.

19 (b) The Department shall report the results of its study
20 to the General Assembly and the Governor on or before March
21 1, 2007.

1 Section 5. The State Employees Group Insurance Act of
2 1971 is amended by changing Section 6.11 as follows:

3 (5 ILCS 375/6.11)

4 Sec. 6.11. Required health benefits; Illinois Insurance
5 Code requirements. The program of health benefits shall
6 provide the post-mastectomy care benefits required to be
7 covered by a policy of accident and health insurance under
8 Section 356t of the Illinois Insurance Code. The program of
9 health benefits shall provide the coverage required under
10 Sections 356u, 356w, 356x, and 356z.2, and 356z.4 of the
11 Illinois Insurance Code. The program of health benefits must
12 comply with Section 155.37 of the Illinois Insurance Code.

13 (Source: P.A. 92-440, eff. 8-17-01; 92-764, eff. 1-1-03.)

14 Section 10. The Counties Code is amended by changing
15 Section 5-1069.3 as follows:

16 (55 ILCS 5/5-1069.3)

17 Sec. 5-1069.3. Required health benefits. If a county,
18 including a home rule county, is a self-insurer for purposes
19 of providing health insurance coverage for its employees, the
20 coverage shall include coverage for the post-mastectomy care
21 benefits required to be covered by a policy of accident and
22 health insurance under Section 356t and the coverage required
23 under Sections 356u, 356w, and 356x, and 356z.4 of the
24 Illinois Insurance Code. The requirement that health
25 benefits be covered as provided in this Section is an
26 exclusive power and function of the State and is a denial and
27 limitation under Article VII, Section 6, subsection (h) of
28 the Illinois Constitution. A home rule county to which this
29 Section applies must comply with every provision of this
30 Section.

31 (Source: P.A. 90-7, eff. 6-10-97; 90-741, eff. 1-1-99.)

1 Section 15. The Illinois Municipal Code is amended by
2 changing Section 10-4-2.3 as follows:

3 (65 ILCS 5/10-4-2.3)

4 Sec. 10-4-2.3. Required health benefits. If a
5 municipality, including a home rule municipality, is a
6 self-insurer for purposes of providing health insurance
7 coverage for its employees, the coverage shall include
8 coverage for the post-mastectomy care benefits required to be
9 covered by a policy of accident and health insurance under
10 Section 356t and the coverage required under Sections 356u,
11 356w, and 356x, and 356z.4 of the Illinois Insurance Code.
12 The requirement that health benefits be covered as provided
13 in this is an exclusive power and function of the State and
14 is a denial and limitation under Article VII, Section 6,
15 subsection (h) of the Illinois Constitution. A home rule
16 municipality to which this Section applies must comply with
17 every provision of this Section.

18 (Source: P.A. 90-7, eff. 6-10-97; 90-741, eff. 1-1-99.)

19 Section 20. The Illinois Insurance Code is amended by
20 changing Section 351B-5 and adding Section 356z.4 as follows:

21 (215 ILCS 5/351B-5) (from Ch. 73, par. 963B-5)

22 Sec. 351B-5. Applicability of other Code provisions. All
23 policies of accident and health insurance issued under this
24 Article shall be subject to the provisions of Sections 356c,
25 subsection (a) of Section 356g, 356h, 356n, 356z.4, 367c,
26 367d, 370, 370a, and 370e of this Code.

27 (Source: P.A. 86-1407; 87-792; 87-1066.)

28 (215 ILCS 5/356z.4 new)

29 Sec. 356z.4. Coverage for certain benefits related to
30 brain injury.

1 (a) A group or individual policy of accident and health
 2 insurance, a managed care plan, or multiple employer welfare
 3 arrangement, that is amended, delivered, issued, or renewed
 4 after the effective date of this amendatory Act of the 93rd
 5 General Assembly may not exclude coverage for cognitive
 6 rehabilitation therapy, cognitive communication therapy,
 7 neurocognitive therapy and rehabilitation, neurobehavioral,
 8 neurophysiological, neuropsychological, and
 9 psychophysiological testing or treatment, neurofeedback
 10 therapy, remediation, post-acute transition services, or
 11 community reintegration services necessary as a result of and
 12 related to an acquired brain injury.

13 (b) Coverage required under this Section may be subject
 14 to deductibles, copayments, coinsurance, or annual or maximum
 15 payment limits that are consistent with deductibles,
 16 copayments, coinsurance, and annual or maximum payment limits
 17 applicable to other similar coverage under the policy.

18 (c) The Department shall adopt rules as necessary to
 19 implement this Section.

20 (d) This Section is inoperative after December 31, 2007.

21 Section 25. The Health Maintenance Organization Act is
 22 amended by changing Section 4-6.5 as follows:

23 (215 ILCS 125/4-6.5)

24 Sec. 4-6.5. Required health benefits; Illinois Insurance
 25 Code requirements. A health maintenance organization is
 26 subject to the provisions of Sections 155.37, 356t, 356u, and
 27 356z.1, and 356z.4 of the Illinois Insurance Code.

28 (Source: P.A. 92-130, eff. 7-20-01; 92-440, eff. 8-17-01;
 29 92-651, eff. 7-11-02.)

30 Section 30. The Voluntary Health Services Plans Act is
 31 amended by changing Section 10 as follows:

1 (215 ILCS 165/10) (from Ch. 32, par. 604)

2 Sec. 10. Application of Insurance Code provisions.
3 Health services plan corporations and all persons interested
4 therein or dealing therewith shall be subject to the
5 provisions of Articles IIA and XII 1/2 and Sections 3.1, 133,
6 140, 143, 143c, 149, 155.37, 354, 355.2, 356r, 356t, 356u,
7 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 367.2, 368a,
8 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and
9 paragraphs (7) and (15) of Section 367 of the Illinois
10 Insurance Code.

11 (Source: P.A. 91-406, eff. 1-1-00; 91-549, eff. 8-14-99;
12 91-605, eff. 12-14-99; 91-788, eff. 6-9-00; 92-130, eff.
13 7-20-01; 92-440, eff. 8-17-01; 92-651, eff. 7-11-02; 92-764,
14 eff. 1-1-03.)

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.27 as follows:

17 (30 ILCS 805/8.27 new)

18 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
19 and 8 of this Act, no reimbursement by the State is required
20 for the implementation of any mandate created by this
21 amendatory Act of the 93rd General Assembly."