



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356c

from Ch. 73, par. 968c

Amends the Illinois Insurance Code. Adds a caption to a Section concerning the insurability of newborns.

LRB093 16938 DRJ 42595 b

1 AN ACT concerning health insurance.

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

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 356c as follows:

6 (215 ILCS 5/356c) (from Ch. 73, par. 968c)

7 Sec. 356c. Insurability of newborns.

8 (1) No policy of accident and health insurance providing
9 coverage of hospital expenses or medical expenses or both on an
10 expense incurred basis which in addition to covering the
11 insured, also covers members of the insured's immediate family,
12 shall contain any disclaimer, waiver or other limitation of
13 coverage relative to the hospital or medical coverage or
14 insurability of newborn infants from and after the moment of
15 birth.

16 (2) Each such policy of accident and health insurance shall
17 contain a provision stating that the accident and health
18 insurance benefits applicable for children shall be granted
19 immediately with respect to a newly born child from the moment
20 of birth. The coverage for newly born children shall include
21 coverage of illness, injury, congenital defects, birth
22 abnormalities and premature birth.

23 (3) If payment of a specific premium is required to provide
24 coverage for a child, the policy may require that notification
25 of birth of a newly born child must be furnished to the insurer
26 within 31 days after the date of birth in order to have the
27 coverage continue beyond such 31 day period and may require
28 payment of the appropriate premium.

29 (4) In the event that no other members of the insured's
30 immediate family are covered, immediate coverage for the first
31 newborn infant shall be provided if the insured applies for
32 dependent's coverage within 31 days of the newborn's birth.

1 Such coverage shall be contingent upon payment of the
2 additional premium.

3 (5) The requirements of this Section shall apply, on or
4 after the sixtieth day following the effective date of this
5 Section, (a) to all such non-group policies delivered or issued
6 for delivery, and (b) to all such group policies delivered,
7 issued for delivery, renewed or amended. The insurers of such
8 non-group policies in effect on the sixtieth day following the
9 effective date of this Section shall extend to owners of said
10 policies, on or before the first policy anniversary following
11 such date, the opportunity to apply for the addition to their
12 policies of a provision as set forth in paragraph (2) above,
13 with, at the option of the insurer, payment of a premium
14 appropriate thereto.

15 (Source: P.A. 85-220.)