



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1414

Introduced 2/20/2015, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

215 ILCS 121/5
215 ILCS 121/45
215 ILCS 121/50 new
215 ILCS 121/55 new
215 ILCS 121/60 new
30 ILCS 105/5.866 new

Amends the Navigator Certification Act. Requires that the Department of Insurance levy an assessment on all insurers offering minimum essential coverage under the federal Patient Protection and Affordable Care Act totaling \$35,000,000. An insurer's assessment shall be determined by multiplying the total assessment by a fraction, the numerator of which equals that insurer's direct Illinois premiums during the preceding calendar year for plans offering minimum essential coverage and the denominator of which equals the total of all insurers' direct Illinois premiums for plans offering minimum essential coverage. Provides that the assessment shall be deposited into the Navigator Fund and used, subject to appropriation by the General Assembly and distribution by the Director of Public Health, for the purposes of administration of the Navigator program, which includes, but is not limited to, grants awarded to certified navigators, certification and training as mandated by the Act, and other essential functions of the Navigator program. Amends the State Finance Act. Creates the Navigator Fund as a special fund in the State treasury. Effective immediately.

LRB099 08594 MLM 28756 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

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

4 Section 5. The Navigator Certification Act is amended by
5 changing Sections 5 and 45 and by adding Sections 50, 55, and
6 60 as follows:

7 (215 ILCS 121/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Certified application counselor" has the same meaning as
10 in federal regulations and guidelines.

11 "Director" means the Director of Insurance.

12 "Direct Illinois premiums" has the same meaning ascribed to
13 it in Section 2 of the Comprehensive Health Insurance Plan Act.

14 "Exchange" means any health benefit exchange established
15 or operating in this State, including any exchange established
16 or operated by the United States Department of Health and Human
17 Services.

18 "Insurer" has the same meaning ascribed to it in Section 2
19 of the Comprehensive Health Insurance Plan Act.

20 "Minimum essential coverage" means a health insurance plan
21 defined in Section 1501 of the federal Patient Protection and
22 Affordable Care Act that is issued by an insurer. "Minimum
23 essential coverage" does not include:

1 (1) coverage only for accidents, or disability income
2 insurance, or any combination thereof;

3 (2) coverage issued as a supplement to liability
4 insurance;

5 (3) liability insurance, including general liability
6 insurance and automobile liability insurance;

7 (4) workers' compensation or similar insurance;

8 (5) automobile medical payment insurance;

9 (6) credit-only insurance;

10 (7) coverage for on-site medical clinics; or

11 (8) other similar insurance coverage, specified in
12 rules, under which benefits for medical care are secondary
13 or incidental to other insurance benefits.

14 "Navigator" means a person or entity selected to perform
15 the activities and duties identified in 42 U.S.C. 18031(i) in
16 this State. "Navigator" includes any person or entity who
17 receives grant funds from the United States Department of
18 Health and Human Services, the State of Illinois, or an
19 exchange or private funds to perform any of the activities and
20 duties identified in 42 U.S.C. 18031(i), including, but not
21 limited to, in-person assisters as defined by federal
22 regulations or guidelines.

23 (Source: P.A. 98-524, eff. 8-23-13.)

24 (215 ILCS 121/45)

25 Sec. 45. Other laws; rulemaking authority.

1 (a) With the exception of the assessment established in
2 subsection (b) of Section 50 of this Act, the ~~The~~ requirements
3 of this Act shall not apply to any individual or entity
4 licensed as an insurance producer in this State.

5 (b) Pursuant to the authority granted by this Act, the
6 Director may adopt rules as may be necessary or appropriate for
7 the administration and enforcement of this Act.

8 (Source: P.A. 98-524, eff. 8-23-13.)

9 (215 ILCS 121/50 new)

10 Sec. 50. The Navigator Fund.

11 (a) The Navigator Fund is created as a special fund in the
12 State treasury. All moneys in the Navigator Fund shall be used,
13 subject to appropriation by the General Assembly and
14 distribution by the Director of Public Health, for the purposes
15 of administration of the Navigator program, which include, but
16 are not limited to, grants awarded to certified navigators,
17 certification and training as mandated by this Act, and other
18 essential functions of the program.

19 (b) Beginning in fiscal year 2016 and for each subsequent
20 fiscal year, the Department of Insurance shall levy an
21 assessment on all health insurance plans offering minimum
22 essential coverage issued by insurers. The total assessment
23 shall be sufficient to generate a total of no less than
24 \$35,000,000. An insurer's assessment shall be determined by
25 multiplying the total assessment by a fraction, the numerator

1 of which equals that insurer's direct Illinois premiums during
2 the preceding calendar year for plans offering minimum
3 essential coverage and the denominator of which equals the
4 total of all insurers' direct Illinois premiums for plans
5 offering minimum essential coverage. The Department of
6 Insurance may exempt those insurers whose share as determined
7 under this subsection (b) would be so minimal as to not exceed
8 the estimated cost of levying the assessment.

9 (c) Moneys collected through the assessment in subsection
10 (b) of this Section shall be deposited into the Navigator Fund.

11 (d) Notwithstanding any other law to the contrary, the
12 Navigator Fund is not subject to sweeps, administrative
13 charge-backs, or any other fiscal or budgetary maneuver that
14 would in any way transfer any amounts from the Navigator Fund
15 into any other fund of the State.

16 (215 ILCS 121/55 new)

17 Sec. 55. Federal participation. Any federal funds made
18 available to the State for the purposes of this Act shall be
19 credited towards the total assessment levied under Section 50
20 of this Act and such total assessment shall be reduced by an
21 equal amount.

22 (215 ILCS 121/60 new)

23 Sec. 60. Navigator demographic data. The Department of
24 Public Health shall issue an annual report providing data on

1 the demographics of individual navigators and certified
2 application counselors in the State. Demographic data to be
3 collected shall include, but not be limited to: (1) geographic
4 location; (2) race and ethnicity; (3) age; (4) level of
5 educational attainment; and (5) languages spoken.

6 Section 10. The State Finance Act is amended by adding
7 Section 5.866 as follows:

8 (30 ILCS 105/5.866 new)

9 Sec. 5.866. The Navigator Fund.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.