



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1076

Introduced 1/9/2025, by Rep. Margaret Croke

#### SYNOPSIS AS INTRODUCED:

5 ILCS 375/6.11  
215 ILCS 5/356z.80 new  
305 ILCS 5/5-16.8

Amends the Illinois Insurance Code. Provides that any individual or group policy of accident or health insurance that is delivered, extended, renewed, or modified after January 1, 2026 must provide coverage for at least one 6-month supply of each of the following for each infant covered by the policy: an early egg allergen introduction dietary supplement prescribed by a health care practitioner; and an early peanut allergen introduction dietary supplement prescribed by a health care practitioner. Provides that the coverage shall be provided without cost-sharing, except to the extent the cost-sharing limitation would cause a catastrophic plan to fail to be treated as a catastrophic plan under the Patient Protection and Affordable Care Act or would keep a high-deductible health plan from being treated as a high-deductible health plan or to the extent the cost-sharing limitation would disqualify the plan from a health savings account. Amends the State Employees Group Insurance Act of 1971 and the Medical Assistance Article of the Illinois Public Aid Code to require that coverage. Effective immediately.

LRB104 05517 RPS 15546 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 State Employees Group Insurance Act of 1971  
5 is amended by changing Section 6.11 as follows:

6 (5 ILCS 375/6.11)

7 Sec. 6.11. Required health benefits; Illinois Insurance  
8 Code requirements. The program of health benefits shall  
9 provide the post-mastectomy care benefits required to be  
10 covered by a policy of accident and health insurance under  
11 Section 356t of the Illinois Insurance Code. The program of  
12 health benefits shall provide the coverage required under  
13 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10,  
14 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8,  
15 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,  
16 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,  
17 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,  
18 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59,  
19 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, ~~and~~  
20 356z.70, ~~and~~ 356z.71, 356z.74, 356z.76, 356z.77, and 356z.80  
21 of the Illinois Insurance Code. The program of health benefits  
22 must comply with Sections 155.22a, 155.37, 355b, 356z.19,  
23 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance

1 Code. The program of health benefits shall provide the  
2 coverage required under Section 356m of the Illinois Insurance  
3 Code and, for the employees of the State Employee Group  
4 Insurance Program only, the coverage as also provided in  
5 Section 6.11B of this Act. The Department of Insurance shall  
6 enforce the requirements of this Section with respect to  
7 Sections 370c and 370c.1 of the Illinois Insurance Code; all  
8 other requirements of this Section shall be enforced by the  
9 Department of Central Management Services.

10 Rulemaking authority to implement Public Act 95-1045, if  
11 any, is conditioned on the rules being adopted in accordance  
12 with all provisions of the Illinois Administrative Procedure  
13 Act and all rules and procedures of the Joint Committee on  
14 Administrative Rules; any purported rule not so adopted, for  
15 whatever reason, is unauthorized.

16 (Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22;  
17 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff.  
18 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768,  
19 eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22;  
20 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff.  
21 1-1-23; 102-1117, eff. 1-13-23; 103-8, eff. 1-1-24; 103-84,  
22 eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24;  
23 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff.  
24 8-11-23; 103-605, eff. 7-1-24; 103-718, eff. 7-19-24; 103-751,  
25 eff. 8-2-24; 103-870, eff. 1-1-25; 103-914, eff. 1-1-25;  
26 103-918, eff. 1-1-25; 103-951, eff. 1-1-25; 103-1024, eff.

1 1-1-25; revised 11-26-24.)

2 Section 10. The Illinois Insurance Code is amended by  
3 adding Section 356z.80 as follows:

4 (215 ILCS 5/356z.80 new)

5 Sec. 356z.80. Coverage for allergenic protein dietary  
6 supplements.

7 (a) In this Section:

8 "Dietary supplement" has the meaning given to that term in  
9 the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 321.

10 "Early egg allergen introduction dietary supplement" means  
11 a dietary supplement that is prescribed to an infant by a  
12 health care practitioner and that contains a concentration of  
13 infant-safe, well-cooked egg protein sufficient to reduce the  
14 risk of the infant acquiring an allergy to eggs.

15 "Early peanut allergen introduction dietary supplement"  
16 means a dietary supplement that is prescribed to an infant by a  
17 health care practitioner and that contains a concentration of  
18 infant-safe peanut protein sufficient to reduce the risk of  
19 the infant acquiring an allergy to peanuts.

20 "Health care practitioner" means a physician licensed to  
21 practice medicine in all its branches under the Medical  
22 Practice Act of 1987, a physician assistant under the  
23 Physician Assistant Practice Act of 1987 with prescriptive  
24 authority, or an advanced practice registered nurse with

1 prescriptive authority under Article 65 of the Nurse Practice  
2 Act.

3 "Infant" means a child who has not attained the age of one  
4 year.

5 (b)(1) Any individual or group policy of accident or  
6 health insurance that is delivered, extended, renewed, or  
7 modified after January 1, 2026 must provide coverage for at  
8 least one 6-month supply of each of the following for each  
9 infant covered by the policy:

10 (A) an early egg allergen introduction dietary  
11 supplement; and

12 (B) an early peanut allergen introduction dietary  
13 supplement.

14 (2) The coverage required under paragraph (1) of this  
15 subsection shall be provided without cost sharing.

16 (c)(1) This Section does not apply to accident-only,  
17 specified disease, hospital indemnity, Medicare supplement,  
18 long-term care, disability income, or other limited benefit  
19 health insurance policies.

20 (2) The cost-sharing limitation under paragraph (2) of  
21 subsection (b) does not apply to any catastrophic plan to the  
22 extent limiting cost sharing would cause the plan to fail to be  
23 treated as a catastrophic plan under subsection (e) of Section  
24 1302 of the Patient Protection and Affordable Care Act, 42  
25 U.S.C. 18022(e).

26 (3) The cost-sharing limitation provision under paragraph

1 (2) of subsection (b) does not apply to a high-deductible  
2 health plan to the extent the cost-sharing limitation would  
3 disqualify the plan from being treated as a high-deductible  
4 health plan or to the extent it would disqualify the plan from  
5 eligibility for a health savings account under Section 223 of  
6 the Internal Revenue Code.

7 Section 15. The Illinois Public Aid Code is amended by  
8 changing Section 5-16.8 as follows:

9 (305 ILCS 5/5-16.8)

10 Sec. 5-16.8. Required health benefits. The medical  
11 assistance program shall (i) provide the post-mastectomy care  
12 benefits required to be covered by a policy of accident and  
13 health insurance under Section 356t and the coverage required  
14 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,  
15 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,  
16 356z.47, 356z.51, 356z.53, 356z.59, 356z.60, 356z.61, 356z.64,  
17 ~~and~~ 356z.67, ~~and~~ 356z.71, 356z.75, and 356z.80 of the Illinois  
18 Insurance Code, (ii) be subject to the provisions of Sections  
19 356z.19, 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the  
20 Illinois Insurance Code, and (iii) be subject to the  
21 provisions of subsection (d-5) of Section 10 of the Network  
22 Adequacy and Transparency Act.

23 The Department, by rule, shall adopt a model similar to  
24 the requirements of Section 356z.39 of the Illinois Insurance

1 Code.

2 On and after July 1, 2012, the Department shall reduce any  
3 rate of reimbursement for services or other payments or alter  
4 any methodologies authorized by this Code to reduce any rate  
5 of reimbursement for services or other payments in accordance  
6 with Section 5-5e.

7 To ensure full access to the benefits set forth in this  
8 Section, on and after January 1, 2016, the Department shall  
9 ensure that provider and hospital reimbursement for  
10 post-mastectomy care benefits required under this Section are  
11 no lower than the Medicare reimbursement rate.

12 (Source: P.A. 102-30, eff. 1-1-22; 102-144, eff. 1-1-22;  
13 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-530, eff.  
14 1-1-22; 102-642, eff. 1-1-22; 102-804, eff. 1-1-23; 102-813,  
15 eff. 5-13-22; 102-816, eff. 1-1-23; 102-1093, eff. 1-1-23;  
16 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff.  
17 1-1-24; 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703,  
18 eff. 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25;  
19 revised 11-26-24.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.