

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 (Text of Section before amendment by P.A. 104-1, 104-27,
8 104-68, 104-73, 104-289, 104-324, and 104-379)

9 Sec. 6.11. Required health benefits; Illinois Insurance
10 Code requirements. The program of health benefits shall
11 provide the post-mastectomy care benefits required to be
12 covered by a policy of accident and health insurance under
13 Section 356t of the Illinois Insurance Code. The program of
14 health benefits shall provide the coverage required under the
15 Topical Eye Medication Prescription Act and Sections 356g,
16 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
17 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,
18 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,
19 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,
20 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
21 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,
22 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,
23 356z.74, 356z.76, ~~and~~ 356z.77, and 356z.81 ~~356z.80~~ of the

1 Illinois Insurance Code. The program of health benefits must
2 comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and
3 370c.1 and Article XXXIIB of the Illinois Insurance Code. The
4 program of health benefits shall provide the coverage required
5 under Section 356m of the Illinois Insurance Code and, for the
6 employees of the State Employee Group Insurance Program only,
7 the coverage as also provided in Section 6.11B of this Act. The
8 Department of Insurance shall enforce the requirements of this
9 Section with respect to Sections 370c and 370c.1 of the
10 Illinois Insurance Code; all other requirements of this
11 Section shall be enforced by the Department of Central
12 Management Services.

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

19 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,
20 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;
21 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.
22 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,
23 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;
24 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-42, eff.
25 8-1-25; 104-417, eff. 8-15-25; revised 10-1-25.)

1 (Text of Section after amendment by P.A. 104-27, 104-68,
2 104-73, 104-289, 104-324, and 104-379 but before amendment by
3 P.A. 104-1)

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 the
10 Topical Eye Medication Prescription Act and Sections 356g,
11 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
12 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,
13 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,
14 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,
15 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
16 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,
17 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,
18 356z.74, 356z.76, ~~and~~ 356z.77, ~~and~~ 356z.80, 356z.81, 356z.82,
19 356z.83, 356z.84, and 356z.85 of the Illinois Insurance Code.
20 The program of health benefits must comply with Sections
21 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article
22 XXXIIB of the Illinois Insurance Code. The program of health
23 benefits shall provide the coverage required under Section
24 356m of the Illinois Insurance Code and, for the employees of
25 the State Employee Group Insurance Program only, the coverage
26 as also provided in Section 6.11B of this Act. The Department

1 of Insurance shall enforce the requirements of this Section
2 with respect to Sections 370c and 370c.1 and Article XXXIIB of
3 the Illinois Insurance Code; all other requirements of this
4 Section shall be enforced by the Department of Central
5 Management Services.

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

12 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,
13 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;
14 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.
15 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,
16 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;
17 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-27, eff.
18 1-1-26, 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
19 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
20 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-1-25.)

21 (Text of Section after amendment by P.A. 104-1)

22 Sec. 6.11. Required health benefits; Illinois Insurance
23 Code requirements. The program of health benefits shall
24 provide the post-mastectomy care benefits required to be
25 covered by a policy of accident and health insurance under

1 Section 356t of the Illinois Insurance Code. The program of
2 health benefits shall provide the coverage required under the
3 Topical Eye Medication Prescription Act and Sections 356g,
4 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
5 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,
6 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,
7 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,
8 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
9 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60,
10 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,
11 356z.74, 356z.76, ~~and~~ 356z.77, 356z.79, ~~and~~ 356z.80, 356z.81,
12 356z.82, 356z.83, 356z.84, and 356z.85 of the Illinois
13 Insurance Code. The program of health benefits must comply
14 with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1
15 and Article XXXIIB of the Illinois Insurance Code. The program
16 of health benefits shall provide the coverage required under
17 Section 356m of the Illinois Insurance Code and, for the
18 employees of the State Employee Group Insurance Program only,
19 the coverage as also provided in Section 6.11B of this Act. The
20 Department of Insurance shall enforce the requirements of this
21 Section with respect to Sections 370c and 370c.1 and Article
22 XXXIIB of the Illinois Insurance Code; all other requirements
23 of this Section shall be enforced by the Department of Central
24 Management Services.

25 Rulemaking authority to implement Public Act 95-1045, if
26 any, is conditioned on the rules being adopted in accordance

1 with all provisions of the Illinois Administrative Procedure
2 Act and all rules and procedures of the Joint Committee on
3 Administrative Rules; any purported rule not so adopted, for
4 whatever reason, is unauthorized.

5 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,
6 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;
7 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.
8 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,
9 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;
10 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
11 7-1-27; 104-27, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff.
12 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,
13 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;
14 revised 10-1-25.)

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

17 (55 ILCS 5/5-1069.3)

18 (Text of Section before amendment by P.A. 104-68, 104-73,
19 104-289, 104-324, and 104-379)

20 Sec. 5-1069.3. Required health benefits. If a county,
21 including a home rule county, is a self-insurer for purposes
22 of providing health insurance coverage for its employees, the
23 coverage shall include coverage for the post-mastectomy care
24 benefits required to be covered by a policy of accident and

1 health insurance under Section 356t and the coverage required
2 under the Topical Eye Medication Prescription Act and Sections
3 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
4 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
5 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,
6 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,
7 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,
8 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,
9 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77,
10 356z.79, and 356z.81 ~~356z.80~~ of the Illinois Insurance Code.
11 The coverage shall comply with Sections 155.22a, 355b,
12 356z.19, and 370c of the Illinois Insurance Code. The
13 Department of Insurance shall enforce the requirements of this
14 Section. The requirement that health benefits be covered as
15 provided in this Section is an exclusive power and function of
16 the State and is a denial and limitation under Article VII,
17 Section 6, subsection (h) of the Illinois Constitution. A home
18 rule county to which this Section applies must comply with
19 every provision of this Section.

20 Rulemaking authority to implement Public Act 95-1045, if
21 any, is conditioned on the rules being adopted in accordance
22 with all provisions of the Illinois Administrative Procedure
23 Act and all rules and procedures of the Joint Committee on
24 Administrative Rules; any purported rule not so adopted, for
25 whatever reason, is unauthorized.

26 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;

1 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
2 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
3 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
4 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
5 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised
6 10-1-25.)

7 (Text of Section after amendment by P.A. 104-68, 104-73,
8 104-289, 104-324, and 104-379)

9 Sec. 5-1069.3. Required health benefits. If a county,
10 including a home rule county, is a self-insurer for purposes
11 of providing health insurance coverage for its employees, the
12 coverage shall include coverage for the post-mastectomy care
13 benefits required to be covered by a policy of accident and
14 health insurance under Section 356t and the coverage required
15 under the Topical Eye Medication Prescription Act and Sections
16 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
17 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
18 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,
19 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,
20 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,
21 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,
22 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, and 356z.77,
23 356z.79, and 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and
24 356z.85 of the Illinois Insurance Code. The coverage shall
25 comply with Sections 155.22a, 355b, 356z.19, and 370c of the

1 Illinois Insurance Code. The Department of Insurance shall
2 enforce the requirements of this Section. The requirement that
3 health benefits be covered as provided in this Section is an
4 exclusive power and function of the State and is a denial and
5 limitation under Article VII, Section 6, subsection (h) of the
6 Illinois Constitution. A home rule county to which this
7 Section applies must comply with every provision of this
8 Section.

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

15 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
16 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
17 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
18 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
19 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
20 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
21 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
22 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-1-25.)

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

1 (65 ILCS 5/10-4-2.3)

2 (Text of Section before amendment by P.A. 104-68, 104-73,
3 104-289, 104-324, and 104-379)

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 the Topical Eye
11 Medication Prescription Act and Sections 356g, 356g.5,
12 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4,
13 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,
14 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,
15 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45,
16 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56,
17 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67,
18 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77, 356z.79, and
19 356z.81 ~~356z.80~~ of the Illinois Insurance Code. The coverage
20 shall comply with Sections 155.22a, 355b, 356z.19, and 370c of
21 the Illinois Insurance Code. The Department of Insurance shall
22 enforce the requirements of this Section. The requirement that
23 health benefits be covered as provided in this is an exclusive
24 power and function of the State and is a denial and limitation
25 under Article VII, Section 6, subsection (h) of the Illinois
26 Constitution. A home rule municipality to which this Section

1 applies must comply with every provision of this Section.

2 Rulemaking authority to implement Public Act 95-1045, if
3 any, is conditioned on the rules being adopted in accordance
4 with all provisions of the Illinois Administrative Procedure
5 Act and all rules and procedures of the Joint Committee on
6 Administrative Rules; any purported rule not so adopted, for
7 whatever reason, is unauthorized.

8 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
9 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
10 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
11 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
12 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
13 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised
14 10-2-25.)

15 (Text of Section after amendment by P.A. 104-68, 104-73,
16 104-289, 104-324, and 104-379)

17 Sec. 10-4-2.3. Required health benefits. If a
18 municipality, including a home rule municipality, is a
19 self-insurer for purposes of providing health insurance
20 coverage for its employees, the coverage shall include
21 coverage for the post-mastectomy care benefits required to be
22 covered by a policy of accident and health insurance under
23 Section 356t and the coverage required under the Topical Eye
24 Medication Prescription Act and Sections 356g, 356g.5,
25 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4,

1 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12,
2 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,
3 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45,
4 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56,
5 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67,
6 356z.68, 356z.70, 356z.71, 356z.74, ~~and 356z.77, 356z.79, and~~
7 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and 356z.85 of
8 the Illinois Insurance Code. The coverage shall comply with
9 Sections 155.22a, 355b, 356z.19, and 370c of the Illinois
10 Insurance Code. The Department of Insurance shall enforce the
11 requirements of this Section. The requirement that health
12 benefits be covered as provided in this is an exclusive power
13 and function of the State and is a denial and limitation under
14 Article VII, Section 6, subsection (h) of the Illinois
15 Constitution. A home rule municipality to which this Section
16 applies must comply with every provision of this Section.

17 Rulemaking authority to implement Public Act 95-1045, if
18 any, is conditioned on the rules being adopted in accordance
19 with all provisions of the Illinois Administrative Procedure
20 Act and all rules and procedures of the Joint Committee on
21 Administrative Rules; any purported rule not so adopted, for
22 whatever reason, is unauthorized.

23 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
24 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
25 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
26 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;

1 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
2 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
3 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
4 eff. 1-1-26; 104-417, eff. 8-15-25; revised 10-2-25.)

5 Section 20. The School Code is amended by changing Section
6 10-22.3f as follows:

7 (105 ILCS 5/10-22.3f)

8 (Text of Section before amendment by P.A. 104-27, 104-68,
9 104-73, 104-289, 104-324, and 104-379)

10 Sec. 10-22.3f. Required health benefits. Insurance
11 protection and benefits for employees shall provide the
12 post-mastectomy care benefits required to be covered by a
13 policy of accident and health insurance under Section 356t and
14 the coverage required under the Topical Eye Medication
15 Prescription Act and Sections 356g, 356g.5, 356g.5-1, 356m,
16 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6,
17 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,
18 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,
19 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
20 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61,
21 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74,
22 ~~and~~ 356z.77, 356z.79, and 356z.81 ~~356z.80~~ of the Illinois
23 Insurance Code. Insurance policies shall comply with Section
24 356z.19 of the Illinois Insurance Code. The coverage shall

1 comply with Sections 155.22a, 355b, and 370c of the Illinois
2 Insurance Code. The Department of Insurance shall enforce the
3 requirements of this Section.

4 Rulemaking authority to implement Public Act 95-1045, if
5 any, is conditioned on the rules being adopted in accordance
6 with all provisions of the Illinois Administrative Procedure
7 Act and all rules and procedures of the Joint Committee on
8 Administrative Rules; any purported rule not so adopted, for
9 whatever reason, is unauthorized.

10 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
11 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
12 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
13 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
14 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
15 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25; revised
16 10-2-25.)

17 (Text of Section after amendment by P.A. 104-27, 104-68,
18 104-73, 104-289, 104-324, and 104-379)

19 Sec. 10-22.3f. Required health benefits. Insurance
20 protection and benefits for employees shall provide the
21 post-mastectomy care benefits required to be covered by a
22 policy of accident and health insurance under Section 356t and
23 the coverage required under the Topical Eye Medication
24 Prescription Act and Sections 356g, 356g.5, 356g.5-1, 356m,
25 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6,

1 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,
2 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33,
3 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
4 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61,
5 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74,
6 ~~and~~ 356z.77, 356z.79, and 356z.80, 356z.81, 356z.82, 356z.83,
7 356z.84, and 356z.85 of the Illinois Insurance Code. Insurance
8 policies shall comply with Section 356z.19 of the Illinois
9 Insurance Code. The coverage shall comply with Sections
10 155.22a, 355b, and 370c and Article XXXIIB of the Illinois
11 Insurance Code. The Department of Insurance shall enforce the
12 requirements of this Section.

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

19 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
20 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
21 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
22 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
23 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
24 6-9-25; 104-27, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff.
25 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,
26 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;

revised 10-2-25.)

Section 25. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

(Text of Section before amendment by P.A. 103-808, 104-28, 104-68, 104-73, 104-98, 104-289, 104-324, and 104-379)

Sec. 5-3. Illinois Insurance Code and Topical Eye Medication Prescription Act provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of the Topical Eye Medication Prescription Act and Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c, 355.2, 355.3, 355.6, 355b, 355c, 356f, 356g.5-1, 356m, 356q, 356u.10, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.63, 356z.64, 356z.65, 356z.66, 356z.67, 356z.68, 356z.69, 356z.70, 356z.71,

1 356z.72, 356z.73, 356z.74, 356z.75, 356z.76, 356z.77, 356z.78,
2 356z.79, 356z.81, ~~356z.80,~~ 364, 364.01, 364.3, 367.2, 367.2-5,
3 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1,
4 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1,
5 paragraph (c) of subsection (2) of Section 367, and Articles
6 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and
7 XXXIIB of the Illinois Insurance Code. Section 356z.81 ~~365z.80~~
8 of the Illinois Insurance Code is not applicable to health
9 care plans under contract with the Department of Healthcare
10 and Family Services.

11 (b) For purposes of the Illinois Insurance Code, except
12 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,
13 Health Maintenance Organizations in the following categories
14 are deemed to be "domestic companies":

15 (1) a corporation authorized under the Dental Service
16 Plan Act or the Voluntary Health Services Plans Act;

17 (2) a corporation organized under the laws of this
18 State; or

19 (3) a corporation organized under the laws of another
20 state, 30% or more of the enrollees of which are residents
21 of this State, except a corporation subject to
22 substantially the same requirements in its state of
23 organization as is a "domestic company" under Article VIII
24 1/2 of the Illinois Insurance Code.

25 (c) In considering the merger, consolidation, or other
26 acquisition of control of a Health Maintenance Organization

1 pursuant to Article VIII 1/2 of the Illinois Insurance Code,

2 (1) the Director shall give primary consideration to
3 the continuation of benefits to enrollees and the
4 financial conditions of the acquired Health Maintenance
5 Organization after the merger, consolidation, or other
6 acquisition of control takes effect;

7 (2) (i) the criteria specified in subsection (1) (b) of
8 Section 131.8 of the Illinois Insurance Code shall not
9 apply and (ii) the Director, in making his determination
10 with respect to the merger, consolidation, or other
11 acquisition of control, need not take into account the
12 effect on competition of the merger, consolidation, or
13 other acquisition of control;

14 (3) the Director shall have the power to require the
15 following information:

16 (A) certification by an independent actuary of the
17 adequacy of the reserves of the Health Maintenance
18 Organization sought to be acquired;

19 (B) pro forma financial statements reflecting the
20 combined balance sheets of the acquiring company and
21 the Health Maintenance Organization sought to be
22 acquired as of the end of the preceding year and as of
23 a date 90 days prior to the acquisition, as well as pro
24 forma financial statements reflecting projected
25 combined operation for a period of 2 years;

26 (C) a pro forma business plan detailing an

1 acquiring party's plans with respect to the operation
2 of the Health Maintenance Organization sought to be
3 acquired for a period of not less than 3 years; and

4 (D) such other information as the Director shall
5 require.

6 (d) The provisions of Article VIII 1/2 of the Illinois
7 Insurance Code and this Section 5-3 shall apply to the sale by
8 any health maintenance organization of greater than 10% of its
9 enrollee population (including, without limitation, the health
10 maintenance organization's right, title, and interest in and
11 to its health care certificates).

12 (e) In considering any management contract or service
13 agreement subject to Section 141.1 of the Illinois Insurance
14 Code, the Director (i) shall, in addition to the criteria
15 specified in Section 141.2 of the Illinois Insurance Code,
16 take into account the effect of the management contract or
17 service agreement on the continuation of benefits to enrollees
18 and the financial condition of the health maintenance
19 organization to be managed or serviced, and (ii) need not take
20 into account the effect of the management contract or service
21 agreement on competition.

22 (f) Except for small employer groups as defined in the
23 Small Employer Rating, Renewability and Portability Health
24 Insurance Act and except for medicare supplement policies as
25 defined in Section 363 of the Illinois Insurance Code, a
26 Health Maintenance Organization may by contract agree with a

1 group or other enrollment unit to effect refunds or charge
2 additional premiums under the following terms and conditions:

3 (i) the amount of, and other terms and conditions with
4 respect to, the refund or additional premium are set forth
5 in the group or enrollment unit contract agreed in advance
6 of the period for which a refund is to be paid or
7 additional premium is to be charged (which period shall
8 not be less than one year); and

9 (ii) the amount of the refund or additional premium
10 shall not exceed 20% of the Health Maintenance
11 Organization's profitable or unprofitable experience with
12 respect to the group or other enrollment unit for the
13 period (and, for purposes of a refund or additional
14 premium, the profitable or unprofitable experience shall
15 be calculated taking into account a pro rata share of the
16 Health Maintenance Organization's administrative and
17 marketing expenses, but shall not include any refund to be
18 made or additional premium to be paid pursuant to this
19 subsection (f)). The Health Maintenance Organization and
20 the group or enrollment unit may agree that the profitable
21 or unprofitable experience may be calculated taking into
22 account the refund period and the immediately preceding 2
23 plan years.

24 The Health Maintenance Organization shall include a
25 statement in the evidence of coverage issued to each enrollee
26 describing the possibility of a refund or additional premium,

1 and upon request of any group or enrollment unit, provide to
2 the group or enrollment unit a description of the method used
3 to calculate (1) the Health Maintenance Organization's
4 profitable experience with respect to the group or enrollment
5 unit and the resulting refund to the group or enrollment unit
6 or (2) the Health Maintenance Organization's unprofitable
7 experience with respect to the group or enrollment unit and
8 the resulting additional premium to be paid by the group or
9 enrollment unit.

10 In no event shall the Illinois Health Maintenance
11 Organization Guaranty Association be liable to pay any
12 contractual obligation of an insolvent organization to pay any
13 refund authorized under this Section.

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

20 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
21 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff.
22 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551,
23 eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25;
24 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff.
25 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753,
26 eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24;

1 103-914, eff. 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff.
2 1-1-25; 104-1, eff. 6-9-25; 104-42, eff. 8-1-25; 104-334, eff.
3 8-15-25; 104-417, eff. 8-15-25; revised 10-3-25.)

4 (Text of Section after amendment by P.A. 103-808, 104-28,
5 104-68, 104-73, 104-98, 104-289, 104-324, and 104-379)

6 Sec. 5-3. Illinois Insurance Code and Topical Eye
7 Medication Prescription Act provisions.

8 (a) Health Maintenance Organizations shall be subject to
9 the provisions of the Topical Eye Medication Prescription Act
10 and Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2,
11 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154,
12 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c,
13 355.2, 355.3, 355.6, 355.7, 355b, 355c, 356f, 356g, 356g.5-1,
14 356m, 356q, 356u.10, 356v, 356w, 356x, 356z.2, 356z.3a,
15 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10,
16 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18,
17 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25,
18 356z.26, 356z.28, 356z.29, 356z.30, 356z.31, 356z.32, 356z.33,
19 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40,
20 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47,
21 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55,
22 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62,
23 356z.63, 356z.64, 356z.65, 356z.66, 356z.67, 356z.68, 356z.69,
24 356z.70, 356z.71, 356z.72, 356z.73, 356z.74, 356z.75, 356z.76,
25 356z.77, 356z.78, 356z.79, 356z.80, 356z.81, 356z.82, 356z.83,

1 356z.84, 356z.85, 364, 364.01, 364.3, 367.2, 367.2-5, 367i,
2 368a, 368b, 368c, 368d, 368e, 370a, 370c, 370c.1, 401, 401.1,
3 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1,
4 paragraph (c) of subsection (2) of Section 367, and Articles
5 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and
6 XXXIIB of the Illinois Insurance Code.

7 (b) For purposes of the Illinois Insurance Code, except
8 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,
9 Health Maintenance Organizations in the following categories
10 are deemed to be "domestic companies":

11 (1) a corporation authorized under the Dental Service
12 Plan Act or the Voluntary Health Services Plans Act;

13 (2) a corporation organized under the laws of this
14 State; or

15 (3) a corporation organized under the laws of another
16 state, 30% or more of the enrollees of which are residents
17 of this State, except a corporation subject to
18 substantially the same requirements in its state of
19 organization as is a "domestic company" under Article VIII
20 1/2 of the Illinois Insurance Code.

21 (c) In considering the merger, consolidation, or other
22 acquisition of control of a Health Maintenance Organization
23 pursuant to Article VIII 1/2 of the Illinois Insurance Code,

24 (1) the Director shall give primary consideration to
25 the continuation of benefits to enrollees and the
26 financial conditions of the acquired Health Maintenance

1 Organization after the merger, consolidation, or other
2 acquisition of control takes effect;

3 (2) (i) the criteria specified in subsection (1) (b) of
4 Section 131.8 of the Illinois Insurance Code shall not
5 apply and (ii) the Director, in making his determination
6 with respect to the merger, consolidation, or other
7 acquisition of control, need not take into account the
8 effect on competition of the merger, consolidation, or
9 other acquisition of control;

10 (3) the Director shall have the power to require the
11 following information:

12 (A) certification by an independent actuary of the
13 adequacy of the reserves of the Health Maintenance
14 Organization sought to be acquired;

15 (B) pro forma financial statements reflecting the
16 combined balance sheets of the acquiring company and
17 the Health Maintenance Organization sought to be
18 acquired as of the end of the preceding year and as of
19 a date 90 days prior to the acquisition, as well as pro
20 forma financial statements reflecting projected
21 combined operation for a period of 2 years;

22 (C) a pro forma business plan detailing an
23 acquiring party's plans with respect to the operation
24 of the Health Maintenance Organization sought to be
25 acquired for a period of not less than 3 years; and

26 (D) such other information as the Director shall

1 require.

2 (d) The provisions of Article VIII 1/2 of the Illinois
3 Insurance Code and this Section 5-3 shall apply to the sale by
4 any health maintenance organization of greater than 10% of its
5 enrollee population (including, without limitation, the health
6 maintenance organization's right, title, and interest in and
7 to its health care certificates).

8 (e) In considering any management contract or service
9 agreement subject to Section 141.1 of the Illinois Insurance
10 Code, the Director (i) shall, in addition to the criteria
11 specified in Section 141.2 of the Illinois Insurance Code,
12 take into account the effect of the management contract or
13 service agreement on the continuation of benefits to enrollees
14 and the financial condition of the health maintenance
15 organization to be managed or serviced, and (ii) need not take
16 into account the effect of the management contract or service
17 agreement on competition.

18 (f) Except for small employer groups as defined in the
19 Small Employer Rating, Renewability and Portability Health
20 Insurance Act and except for medicare supplement policies as
21 defined in Section 363 of the Illinois Insurance Code, a
22 Health Maintenance Organization may by contract agree with a
23 group or other enrollment unit to effect refunds or charge
24 additional premiums under the following terms and conditions:

25 (i) the amount of, and other terms and conditions with
26 respect to, the refund or additional premium are set forth

1 in the group or enrollment unit contract agreed in advance
2 of the period for which a refund is to be paid or
3 additional premium is to be charged (which period shall
4 not be less than one year); and

5 (ii) the amount of the refund or additional premium
6 shall not exceed 20% of the Health Maintenance
7 Organization's profitable or unprofitable experience with
8 respect to the group or other enrollment unit for the
9 period (and, for purposes of a refund or additional
10 premium, the profitable or unprofitable experience shall
11 be calculated taking into account a pro rata share of the
12 Health Maintenance Organization's administrative and
13 marketing expenses, but shall not include any refund to be
14 made or additional premium to be paid pursuant to this
15 subsection (f)). The Health Maintenance Organization and
16 the group or enrollment unit may agree that the profitable
17 or unprofitable experience may be calculated taking into
18 account the refund period and the immediately preceding 2
19 plan years.

20 The Health Maintenance Organization shall include a
21 statement in the evidence of coverage issued to each enrollee
22 describing the possibility of a refund or additional premium,
23 and upon request of any group or enrollment unit, provide to
24 the group or enrollment unit a description of the method used
25 to calculate (1) the Health Maintenance Organization's
26 profitable experience with respect to the group or enrollment

1 unit and the resulting refund to the group or enrollment unit
2 or (2) the Health Maintenance Organization's unprofitable
3 experience with respect to the group or enrollment unit and
4 the resulting additional premium to be paid by the group or
5 enrollment unit.

6 In no event shall the Illinois Health Maintenance
7 Organization Guaranty Association be liable to pay any
8 contractual obligation of an insolvent organization to pay any
9 refund authorized under this Section.

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

16 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
17 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff.
18 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551,
19 eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25;
20 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff.
21 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753,
22 eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24;
23 103-808, eff. 1-1-26; 103-914, eff. 1-1-25; 103-918, eff.
24 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-28,
25 eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73,
26 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;

1 104-324, eff. 1-1-26; 104-334, eff. 8-15-25; 104-379, eff.
2 1-1-26; 104-417, eff. 8-15-25; revised 10-3-25.)

3 Section 30. The Limited Health Service Organization Act is
4 amended by changing Section 4003 as follows:

5 (215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

6 (Text of Section before amendment by P.A. 104-73, 104-98,
7 104-289, 104-324, and 104-379)

8 Sec. 4003. Illinois Insurance Code and Topical Eye
9 Medication Prescription Act provisions. Limited health service
10 organizations shall be subject to the provisions of the
11 Topical Eye Medication Prescription Act and Sections 133, 134,
12 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c,
13 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8,
14 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 355d, 356m,
15 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22,
16 356z.25, 356z.26, 356z.29, 356z.32, 356z.33, 356z.41, 356z.46,
17 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61,
18 356z.64, 356z.67, 356z.68, 356z.71, 356z.73, 356z.74, 356z.75,
19 356z.79, 356z.81, ~~356z.80~~, 364.3, 368a, 401, 401.1, 402, 403,
20 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA,
21 VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB
22 of the Illinois Insurance Code. Nothing in this Section shall
23 require a limited health care plan to cover any service that is
24 not a limited health service. For purposes of the Illinois

1 Insurance Code, except for Sections 444 and 444.1 and Articles
2 XIII and XIII 1/2, limited health service organizations in the
3 following categories are deemed to be domestic companies:

4 (1) a corporation under the laws of this State; or

5 (2) a corporation organized under the laws of another
6 state, 30% or more of the enrollees of which are residents
7 of this State, except a corporation subject to
8 substantially the same requirements in its state of
9 organization as is a domestic company under Article VIII
10 1/2 of the Illinois Insurance Code.

11 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
12 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff.
13 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656,
14 eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24;
15 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff.
16 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42,
17 eff. 8-1-25; 104-334, eff. 8-15-25; 104-417, eff. 8-15-25;
18 revised 10-3-25.)

19 (Text of Section after amendment by P.A. 104-73, 104-98,
20 104-289, 104-324, and 104-379)

21 Sec. 4003. Illinois Insurance Code and Topical Eye
22 Medication Prescription Act provisions. Limited health service
23 organizations shall be subject to the provisions of the
24 Topical Eye Medication Prescription Act and Sections 133, 134,
25 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c,

1 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8,
2 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 355d, 356m,
3 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22,
4 356z.25, 356z.26, 356z.29, 356z.32, 356z.33, 356z.41, 356z.46,
5 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61,
6 356z.64, 356z.67, 356z.68, 356z.71, 356z.73, 356z.74, 356z.75,
7 356z.79, 356z.80, 356z.81, 356z.83, 356z.84, 356z.85, 364.3,
8 368a, 370a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412,
9 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII,
10 XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance
11 Code. Nothing in this Section shall require a limited health
12 care plan to cover any service that is not a limited health
13 service. For purposes of the Illinois Insurance Code, except
14 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,
15 limited health service organizations in the following
16 categories are deemed to be domestic companies:

17 (1) a corporation under the laws of this State; or

18 (2) a corporation organized under the laws of another
19 state, 30% or more of the enrollees of which are residents
20 of this State, except a corporation subject to
21 substantially the same requirements in its state of
22 organization as is a domestic company under Article VIII
23 1/2 of the Illinois Insurance Code.

24 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
25 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff.
26 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656,

1 eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24;
2 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff.
3 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42,
4 eff. 8-1-25; 104-73, eff. 1-1-26; 104-98, eff. 1-1-26;
5 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-334, eff.
6 8-15-25; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised
7 10-3-25.)

8 Section 35. The Voluntary Health Services Plans Act is
9 amended by changing Section 10 as follows:

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

11 (Text of Section before amendment by P.A. 104-28, 104-73,
12 104-98, 104-289, 104-324, and 104-379)

13 Sec. 10. Application of Insurance Code and Topical Eye
14 Medication Prescription Act provisions. Health services plan
15 corporations and all persons interested therein or dealing
16 therewith shall be subject to the provisions of the Topical
17 Eye Medication Prescription Act and Articles IIA and XII 1/2
18 and Sections 3.1, 133, 136, 139, 140, 143, 143.31, 143c, 149,
19 155.22a, 155.37, 354, 355.2, 355.3, 355b, 355d, 356g, 356g.5,
20 356g.5-1, 356m, 356q, 356r, 356t, 356u, 356u.10, 356v, 356w,
21 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5,
22 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,
23 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25,
24 356z.26, 356z.29, 356z.30, 356z.32, 356z.32a, 356z.33,

1 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54,
2 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,
3 356z.67, 356z.68, 356z.71, 356z.72, 356z.74, 356z.75, 356z.77,
4 356z.79, 356z.81, ~~356z.80,~~ 364.01, 364.3, 367.2, 368a, 401,
5 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7)
6 and (15) of Section 367 of the Illinois Insurance Code.

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

13 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
14 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff.
15 8-11-23; 103-605, eff. 7-1-24; 103-656, eff. 1-1-25; 103-718,
16 eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24;
17 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-914, eff.
18 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1,
19 eff. 6-9-25; 104-42, eff. 8-1-25; 104-417, eff. 8-15-25;
20 revised 10-3-25.)

21 (Text of Section after amendment by P.A. 104-28, 104-73,
22 104-98, 104-289, 104-324, and 104-379)

23 Sec. 10. Application of Illinois Insurance Code and
24 Topical Eye Medication Prescription Act provisions. Health
25 services plan corporations and all persons interested therein

1 or dealing therewith shall be subject to the provisions of the
2 Topical Eye Medication Prescription Act and Articles IIA and
3 XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143.31,
4 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355.7, 355b,
5 355d, 356g, 356g.5, 356g.5-1, 356m, 356q, 356r, 356t, 356u,
6 356u.10, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a,
7 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10,
8 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19,
9 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,
10 356z.32a, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47,
11 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60,
12 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.71, 356z.72,
13 356z.74, 356z.75, 356z.77, 356z.79, 356z.80, 356z.81, 356z.83,
14 356z.84, 356z.85, 364.01, 364.3, 367.2, 368a, 370a, 401,
15 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7)
16 and (15) of Section 367 of the Illinois Insurance Code.

17 Rulemaking authority to implement Public Act 95-1045, if
18 any, is conditioned on the rules being adopted in accordance
19 with all provisions of the Illinois Administrative Procedure
20 Act and all rules and procedures of the Joint Committee on
21 Administrative Rules; any purported rule not so adopted, for
22 whatever reason, is unauthorized.

23 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
24 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff.
25 8-11-23; 103-605, eff. 7-1-24; 103-656, eff. 1-1-25; 103-718,
26 eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24;

1 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-914, eff.
2 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1,
3 eff. 6-9-25; 104-28, eff. 1-1-26; 104-42, eff. 8-1-25; 104-73,
4 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;
5 104-324, eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff.
6 8-15-25; revised 10-3-25.)

7 Section 40. The Illinois Public Aid Code is amended by
8 changing Section 5-16.8 as follows:

9 (305 ILCS 5/5-16.8)

10 (Text of Section before amendment by P.A. 104-73, 104-324,
11 and 104-379)

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

1 Topical Eye Medication Prescription Act.

2 The Department, by rule, shall adopt a model similar to
3 the requirements of Section 356z.39 of the Illinois Insurance
4 Code.

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

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

15 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
16 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703, eff.
17 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-417,
18 eff. 8-15-25.)

19 (Text of Section after amendment by P.A. 104-73, 104-324,
20 and 104-379)

21 Sec. 5-16.8. Required health benefits. The medical
22 assistance program shall (i) provide the post-mastectomy care
23 benefits required to be covered by a policy of accident and
24 health insurance under Section 356t and the coverage required
25 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,

1 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,
2 356z.47, 356z.51, 356z.53, 356z.59, 356z.60, 356z.61, 356z.64,
3 356z.67, 356z.71, ~~and~~ 356z.75, ~~and~~ 356z.80, 356z.84, and
4 356z.85 of the Illinois Insurance Code, (ii) be subject to the
5 provisions of Sections 356z.19, 356z.44, 356z.49, 364.01,
6 370c, and 370c.1 of the Illinois Insurance Code, ~~and~~ (iii) be
7 subject to the provisions of subsection (d-5) of Section 10 of
8 the Network Adequacy and Transparency Act, and (iv) be subject
9 to the provisions of the Topical Eye Medication Prescription
10 Act.

11 The Department, by rule, shall adopt a model similar to
12 the requirements of Section 356z.39 of the Illinois Insurance
13 Code.

14 On and after July 1, 2012, the Department shall reduce any
15 rate of reimbursement for services or other payments or alter
16 any methodologies authorized by this Code to reduce any rate
17 of reimbursement for services or other payments in accordance
18 with Section 5-5e.

19 To ensure full access to the benefits set forth in this
20 Section, on and after January 1, 2016, the Department shall
21 ensure that provider and hospital reimbursement for
22 post-mastectomy care benefits required under this Section are
23 no lower than the Medicare reimbursement rate.

24 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
25 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703, eff.
26 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-73,

1 eff. 1-1-26; 104-324, eff. 1-1-26; 104-379, eff. 1-1-26;
2 104-417, eff. 8-15-25; revised 10-3-25.)

3 Section 95. No acceleration or delay. Where this Act makes
4 changes in a statute that is represented in this Act by text
5 that is not yet or no longer in effect (for example, a Section
6 represented by multiple versions), the use of that text does
7 not accelerate or delay the taking effect of (i) the changes
8 made by this Act or (ii) provisions derived from any other
9 Public Act.

10 Section 99. Effective date. This Act takes effect January
11 1, 2028.