**Section 2009.10 Purpose and Applicability**

a) The purpose of this regulation is to:

1) Permit, but not require, plans to include a coordination of benefits (COB) provision;

2) Establish an order in which plans pay their claims;

3) Provide the authority for the orderly transfer of information needed to pay claims promptly;

4) Reduce duplication of benefits by permitting a reduction of the benefits paid by a plan when the plan, pursuant to rules established by this Part, does not have to pay its benefits first;

5) Reduce claims payment delays; and

6) Make all contracts that contain a COB provision consistent with this Part.

b) Applicability

1) This Part shall apply to all accident and health insurance policies or contracts, and group subscriber certificates or contracts issued thereunder, which are issued, delivered, amended or renewed in this State on or after November 8, 1988 (the effective date of this Part).

2) "Plan"does not include:

A) Hospital indemnity coverage benefits or other fixed idemnity coverage;

B) Accident only coverage;

C) Specified disease or specified accident coverage;

D) Limited benefit health coverage;

E) School accident-type coverages that cover students for accidents only, including athletic injuries, either on a 24-hour basis or on a "to and from school" basis;

F) Benefits provided in long-term care insurance policies for nonmedical services, for example, personal care, adult day care, homemaker services, assistance with activities of daily living, respite care and custodial care, or for contracts that pay a fixed daily benefit without regard to expenses incurred or the receipt of services;

G) Medicare supplement policies;

H) A state plan under Medicaid;

I) A governmental plan that, by law, provides benefits that are in excess of those of any private insurance plan or other nongovernmental plan; or

J) Disability income protection coverage.

c) Any group policy subject to this Part that was issued before September 1, 2015 shall be brought into compliance with this Part by the later of:

1) The next anniversary date or renewal date of the group policy; or

2) The expiration of any applicable collectively bargained contract pursuant to which it was written.

(Source: Amended at 39 Ill. Reg. 12548, effective September 1, 2015)