

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 adding Section 6.16 as follows:

6 (5 ILCS 375/6.16 new)

7 Sec. 6.16. Human breast milk coverage. Notwithstanding any
8 other provision of this Act, pasteurized donated human breast
9 milk, which may include human milk fortifiers if indicated by a
10 prescribing licensed medical practitioner, shall be covered
11 under a health plan for persons who are otherwise eligible for
12 coverage under this Act, if the covered person is an infant
13 under the age of 6 months, a physician prescribes the milk for
14 the covered person, and:

15 (1) the milk is obtained from a human milk bank that is
16 licensed by the Department of Public Health;

17 (2) a licensed medical practitioner has issued an order
18 for an infant who is medically or physically unable to
19 receive maternal breast milk or participate in breast
20 feeding or whose mother is medically or physically unable
21 to produce maternal breast milk in sufficient quantities or
22 participate in breast feeding despite optimal lactation
23 support; or

1 (3) a licensed medical practitioner has issued an order
2 for an infant who meets any of the following conditions:

3 (A) a body weight below healthy levels determined
4 by the licensed medical practitioner;

5 (B) a congenital or acquired condition that places
6 the infant at a high risk for development of
7 necrotizing enterocolitis; or

8 (C) a congenital or acquired condition that may
9 benefit from the use of donor breast milk as determined
10 by the Department of Public Health.

11 Section 10. The Illinois Insurance Code is amended by
12 adding Section 356z.33 as follows:

13 (215 ILCS 5/356z.33 new)

14 Sec. 356z.33. Human breast milk coverage. Notwithstanding
15 any other provision of this Act, pasteurized donated human
16 breast milk, which may include human milk fortifiers if
17 indicated by a prescribing licensed medical practitioner,
18 shall be covered under an individual or group health insurance
19 for persons who are otherwise eligible for coverage under this
20 Act, if the covered person is an infant under the age of 6
21 months, a physician prescribes the milk for the covered person,
22 and:

23 (1) the milk is obtained from a human milk bank that is
24 licensed by the Department of Public Health;

1 (2) a licensed medical practitioner has issued an order
2 for an infant who is medically or physically unable to
3 receive maternal breast milk or participate in breast
4 feeding or whose mother is medically or physically unable
5 to produce maternal breast milk in sufficient quantities or
6 participate in breast feeding despite optimal lactation
7 support; or

8 (3) a licensed medical practitioner has issued an order
9 for an infant who meets any of the following conditions:

10 (A) a body weight below healthy levels determined
11 by the licensed medical practitioner;

12 (B) a congenital or acquired condition that places
13 the infant at a high risk for development of
14 necrotizing enterocolitis; or

15 (C) a congenital or acquired condition that may
16 benefit from the use of donor breast milk as determined
17 by the Department of Public Health.

18 Section 15. The Illinois Public Aid Code is amended by
19 adding Section 5-40 as follows:

20 (305 ILCS 5/5-40 new)

21 Sec. 5-40. Human breast milk coverage. Notwithstanding any
22 other provision of this Act, pasteurized donated human breast
23 milk, which may include human milk fortifiers if indicated by a
24 prescribing licensed medical practitioner, shall be covered

1 under a health plan for persons who are otherwise eligible for
2 coverage under this Act, if the covered person is an infant
3 under the age of 6 months, a physician prescribes the milk for
4 the covered person, and:

5 (1) the milk is obtained from a human milk bank that is
6 licensed by the Department of Public Health;

7 (2) a licensed medical practitioner has issued an order
8 for an infant who is medically or physically unable to
9 receive maternal breast milk or participate in breast
10 feeding or whose mother is medically or physically unable
11 to produce maternal breast milk in sufficient quantities or
12 participate in breast feeding despite optimal lactation
13 support; or

14 (3) a licensed medical practitioner has issued an order
15 for an infant who meets any of the following conditions:

16 (A) a body weight below healthy levels determined
17 by the licensed medical practitioner;

18 (B) a congenital or acquired condition that places
19 the infant at a high risk for development of
20 necrotizing enterocolitis; or

21 (C) a congenital or acquired condition that may
22 benefit from the use of donor breast milk as determined
23 by the Department of Public Health.

24 Section 99. Effective date. This Act takes effect January
25 1, 2020.