

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 Illinois Insurance Code is amended by  
5 changing Section 356z.2 as follows:

6 (215 ILCS 5/356z.2)

7 Sec. 356z.2. Coverage for adjunctive services in dental  
8 care.

9 (a) An individual or group policy of accident and health  
10 insurance amended, delivered, issued, or renewed after January  
11 1, 2003 (the effective date of Public Act 92-764) shall cover  
12 charges incurred, and anesthetics provided, in conjunction  
13 with dental care that is provided to a covered individual in a  
14 hospital or an ambulatory surgical treatment center if any of  
15 the following applies:

16 (1) the individual is a child age 6 or under;

17 (2) the individual has a medical condition that  
18 requires hospitalization or general anesthesia for dental  
19 care; or

20 (3) the individual is a person with a disability.

21 (a-5) An individual or group policy of accident and health  
22 insurance amended, delivered, issued, or renewed after January  
23 1, 2016 (the effective date of Public Act 99-141) shall cover

1 charges incurred, and anesthetics provided by a dentist with a  
2 permit provided under Section 8.1 of the Illinois Dental  
3 Practice Act or a physician licensed to practice medicine in  
4 all of its branches under the Medical Practice Act of 1987, in  
5 conjunction with dental care that is provided to a covered  
6 individual in a dental office, oral surgeon's office, hospital,  
7 or ambulatory surgical treatment center if the individual is  
8 under age 26 ~~19~~ and has been diagnosed with an autism spectrum  
9 disorder as defined in Section 10 of the Autism Spectrum  
10 Disorders Reporting Act or a developmental disability. A  
11 covered individual shall be required to make 2 visits to the  
12 dental care provider prior to accessing other coverage under  
13 this subsection.

14 For purposes of this subsection, "developmental  
15 disability" means a disability that is attributable to an  
16 intellectual disability or a related condition, if the related  
17 condition meets all of the following conditions:

- 18 (1) it is attributable to cerebral palsy, epilepsy, or  
19 any other condition, other than mental illness, found to be  
20 closely related to an intellectual disability because that  
21 condition results in impairment of general intellectual  
22 functioning or adaptive behavior similar to that of  
23 individuals with an intellectual disability and requires  
24 treatment or services similar to those required for those  
25 individuals; for purposes of this definition, autism is  
26 considered a related condition;

1           (2) it is manifested before the individual reaches age  
2           22;

3           (3) it is likely to continue indefinitely; and

4           (4) it results in substantial functional limitations  
5           in 3 or more of the following areas of major life activity:  
6           self-care, language, learning, mobility, self-direction,  
7           and capacity for independent living.

8           (b) For purposes of this Section, "ambulatory surgical  
9           treatment center" has the meaning given to that term in Section  
10          3 of the Ambulatory Surgical Treatment Center Act.

11          For purposes of this Section, "person with a disability"  
12          means a person, regardless of age, with a chronic disability if  
13          the chronic disability meets all of the following conditions:

14               (1) It is attributable to a mental or physical  
15               impairment or combination of mental and physical  
16               impairments.

17               (2) It is likely to continue.

18               (3) It results in substantial functional limitations  
19               in one or more of the following areas of major life  
20               activity:

21                       (A) self-care;

22                       (B) receptive and expressive language;

23                       (C) learning;

24                       (D) mobility;

25                       (E) capacity for independent living; or

26                       (F) economic self-sufficiency.

1           (c) The coverage required under this Section may be subject  
2 to any limitations, exclusions, or cost-sharing provisions  
3 that apply generally under the insurance policy.

4           (d) This Section does not apply to a policy that covers  
5 only dental care.

6           (e) Nothing in this Section requires that the dental  
7 services be covered.

8           (f) The provisions of this Section do not apply to  
9 short-term travel, accident-only, limited, or specified  
10 disease policies, nor to policies or contracts designed for  
11 issuance to persons eligible for coverage under Title XVIII of  
12 the Social Security Act, known as Medicare, or any other  
13 similar coverage under State or federal governmental plans.

14           (Source: P.A. 99-141, eff. 1-1-16; 99-143, eff. 7-27-15;  
15 99-642, eff. 7-28-16.)