



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2967

Introduced 12/15/2021, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

410 ILCS 70/7

from Ch. 111 1/2, par. 87-7

Amends the Sexual Assault Survivors Emergency Treatment Act. Removes language providing that, on and after July 1, 2012, the Department of Public Health shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by the Act or the Illinois Public Aid Code to reduce any rate of reimbursement for services or other payments in accordance with specified provisions of the Illinois Public Aid Code. Provides that, notwithstanding any other provision of law, a specified person or entity who provides an acute exam to a sexual assault survivor under the Act who is uninsured or receives medical assistance under the Illinois Public Aid Code shall receive reimbursement for each acute exam provided in the amount of \$3,000 for acute exams provided to adult sexual assault survivors or to pediatric sexual assault survivors. Provides that the rates of reimbursement may be increased by the Department of Public Health. Provides that a sexual assault survivor with a nonprimary insurance policy may opt out of billing the sexual assault survivor's private insurance provider in a situation in which a concern for safety or confidentiality exists. Effective immediately.

LRB102 21691 CPF 30810 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Sexual Assault Survivors Emergency
5 Treatment Act is amended by changing Section 7 as follows:

6 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

7 Sec. 7. Reimbursement.

8 (a) A hospital, approved pediatric health care facility,
9 or health care professional furnishing medical forensic
10 services, an ambulance provider furnishing transportation to a
11 sexual assault survivor, a hospital, health care professional,
12 or laboratory providing follow-up healthcare, or a pharmacy
13 dispensing prescribed medications to any sexual assault
14 survivor shall furnish such services or medications to that
15 person without charge and shall seek payment as follows:

16 (1) If a sexual assault survivor is eligible to
17 receive benefits under the medical assistance program
18 under Article V of the Illinois Public Aid Code, the
19 ambulance provider, hospital, approved pediatric health
20 care facility, health care professional, laboratory, or
21 pharmacy must submit the bill to the Department of
22 Healthcare and Family Services or the appropriate Medicaid
23 managed care organization and accept the amount paid as

1 full payment.

2 (2) If a sexual assault survivor is covered by one or
3 more policies of health insurance or is a beneficiary
4 under a public or private health coverage program, the
5 ambulance provider, hospital, approved pediatric health
6 care facility, health care professional, laboratory, or
7 pharmacy shall bill the insurance company or program. With
8 respect to such insured patients, applicable deductible,
9 co-pay, co-insurance, denial of claim, or any other
10 out-of-pocket insurance-related expense may be submitted
11 to the Illinois Sexual Assault Emergency Treatment Program
12 of the Department of Healthcare and Family Services in
13 accordance with 89 Ill. Adm. Code 148.510 for payment at
14 the Department of Healthcare and Family Services'
15 allowable rates under the Illinois Public Aid Code. The
16 ambulance provider, hospital, approved pediatric health
17 care facility, health care professional, laboratory, or
18 pharmacy shall accept the amounts paid by the insurance
19 company or health coverage program and the Illinois Sexual
20 Assault Treatment Program as full payment.

21 (3) If a sexual assault survivor is neither eligible
22 to receive benefits under the medical assistance program
23 under Article V of the Illinois Public Aid Code nor
24 covered by a policy of insurance or a public or private
25 health coverage program, the ambulance provider, hospital,
26 approved pediatric health care facility, health care

1 professional, laboratory, or pharmacy shall submit the
2 request for reimbursement to the Illinois Sexual Assault
3 Emergency Treatment Program under the Department of
4 Healthcare and Family Services in accordance with 89 Ill.
5 Adm. Code 148.510 at the Department of Healthcare and
6 Family Services' allowable rates under the Illinois Public
7 Aid Code.

8 (4) If a sexual assault survivor presents a sexual
9 assault services voucher for follow-up healthcare, the
10 healthcare professional, pediatric health care facility,
11 or laboratory that provides follow-up healthcare or the
12 pharmacy that dispenses prescribed medications to a sexual
13 assault survivor shall submit the request for
14 reimbursement for follow-up healthcare, pediatric health
15 care facility, laboratory, or pharmacy services to the
16 Illinois Sexual Assault Emergency Treatment Program under
17 the Department of Healthcare and Family Services in
18 accordance with 89 Ill. Adm. Code 148.510 at the
19 Department of Healthcare and Family Services' allowable
20 rates under the Illinois Public Aid Code. Nothing in this
21 subsection (a) precludes hospitals or approved pediatric
22 health care facilities from providing follow-up healthcare
23 and receiving reimbursement under this Section.

24 (b) Nothing in this Section precludes a hospital, health
25 care provider, ambulance provider, laboratory, or pharmacy
26 from billing the sexual assault survivor or any applicable

1 health insurance or coverage for inpatient services.

2 (c) (Blank).

3 (d) (Blank). ~~On and after July 1, 2012, the Department~~
4 ~~shall reduce any rate of reimbursement for services or other~~
5 ~~payments or alter any methodologies authorized by this Act or~~
6 ~~the Illinois Public Aid Code to reduce any rate of~~
7 ~~reimbursement for services or other payments in accordance~~
8 ~~with Section 5-5e of the Illinois Public Aid Code.~~

9 (d-5) Notwithstanding any other provision of law,
10 including, but not limited to, Section 5-5e of the Illinois
11 Public Aid Code, a person or entity described under subsection
12 (a) who provides an acute exam to a sexual assault survivor
13 under this Act who is uninsured or receives medical assistance
14 under Article V of the Illinois Public Aid Code shall receive
15 reimbursement for each acute exam provided in the following
16 amounts:

17 (1) \$3,000 for an acute exam provided to an adult
18 sexual assault survivor.

19 (2) \$3,000 for an acute exam provided to a pediatric
20 sexual assault survivor.

21 The rates of reimbursement under this subsection may be
22 increased by the Department.

23 (d-10) Notwithstanding any other provision of law,
24 including, but not limited to, subsection (a), a sexual
25 assault survivor with a nonprimary insurance policy may opt
26 out of billing the sexual assault survivor's private insurance

1 provider in a situation in which a concern for safety or
2 confidentiality exists.

3 (e) The Department of Healthcare and Family Services shall
4 establish standards, rules, and regulations to implement this
5 Section.

6 (f) This Section is effective on and after January 1,
7 2022.

8 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.