



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### SB4219

Introduced 11/14/2022, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1069.3  
65 ILCS 5/10-4-2.3  
105 ILCS 5/10-22.3f  
215 ILCS 130/4003

from Ch. 73, par. 1504-3

Amends the Counties Code, the Illinois Municipal Code, the School Code, and the Limited Health Service Organization Act to provide that an individual or group policy of accident and health insurance amended, delivered, issued, or renewed in the State shall provide coverage for specified contraceptive methods and coverage for abortion care. Effective January 1, 2024.

LRB102 28307 BMS 40178 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Counties Code is amended by changing  
5 Section 5-1069.3 as follows:

6 (55 ILCS 5/5-1069.3)

7 Sec. 5-1069.3. Required health benefits. If a county,  
8 including a home rule county, is a self-insurer for purposes  
9 of providing health insurance coverage for its employees, the  
10 coverage shall include coverage for the post-mastectomy care  
11 benefits required to be covered by a policy of accident and  
12 health insurance under Section 356t and the coverage required  
13 under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x,  
14 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,  
15 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,  
16 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40,  
17 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, and 356z.51 ~~and~~  
18 ~~356z.43~~ of the Illinois Insurance Code. The coverage shall  
19 comply with Sections 155.22a, 355b, 356z.19, and 370c of the  
20 Illinois Insurance Code. The Department of Insurance shall  
21 enforce the requirements of this Section. The requirement that  
22 health benefits be covered as provided in this Section is an  
23 exclusive power and function of the State and is a denial and

1 limitation under Article VII, Section 6, subsection (h) of the  
2 Illinois Constitution. A home rule county to which this  
3 Section applies must comply with every provision of this  
4 Section.

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

11 (Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;  
12 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.  
13 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203,  
14 eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22;  
15 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; revised  
16 10-26-21.)

17 Section 10. The Illinois Municipal Code is amended by  
18 changing Section 10-4-2.3 as follows:

19 (65 ILCS 5/10-4-2.3)

20 Sec. 10-4-2.3. Required health benefits. If a  
21 municipality, including a home rule municipality, is a  
22 self-insurer for purposes of providing health insurance  
23 coverage for its employees, the coverage shall include  
24 coverage for the post-mastectomy care benefits required to be

1 covered by a policy of accident and health insurance under  
2 Section 356t and the coverage required under Sections 356g,  
3 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a,  
4 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,  
5 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,  
6 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,  
7 356z.45, 356z.46, 356z.47, 356z.48, and 356z.51 ~~and 356z.43~~ 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. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;  
24 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.  
25 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203,  
26 eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22;

1 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; revised  
2 10-26-21.)

3 Section 15. The School Code is amended by changing Section  
4 10-22.3f as follows:

5 (105 ILCS 5/10-22.3f)

6 Sec. 10-22.3f. Required health benefits. Insurance  
7 protection and benefits for employees shall provide the  
8 post-mastectomy care benefits required to be covered by a  
9 policy of accident and health insurance under Section 356t and  
10 the coverage required under Sections 356g, 356g.5, 356g.5-1,  
11 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8,  
12 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22,  
13 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33,  
14 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, and  
15 356z.51 ~~and 356z.43~~ of the Illinois Insurance Code. Insurance  
16 policies shall comply with Section 356z.19 of the Illinois  
17 Insurance Code. The coverage shall comply with Sections  
18 155.22a, 355b, and 370c of the Illinois Insurance Code. The  
19 Department of Insurance shall enforce the requirements of this  
20 Section.

21 Rulemaking authority to implement Public Act 95-1045, if  
22 any, is conditioned on the rules being adopted in accordance  
23 with all provisions of the Illinois Administrative Procedure  
24 Act and all rules and procedures of the Joint Committee on

1 Administrative Rules; any purported rule not so adopted, for  
2 whatever reason, is unauthorized.

3 (Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;  
4 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.  
5 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203,  
6 eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22;  
7 102-665, eff. 10-8-21; revised 10-27-21.)

8 Section 20. The Limited Health Service Organization Act is  
9 amended by changing Section 4003 as follows:

10 (215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

11 Sec. 4003. Illinois Insurance Code provisions. Limited  
12 health service organizations shall be subject to the  
13 provisions of Sections 133, 134, 136, 137, 139, 140, 141.1,  
14 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154,  
15 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 355.2, 355.3,  
16 355b, 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22,  
17 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33,  
18 356z.41, 356z.46, 356z.47, 356z.51, ~~356z.43~~, 368a, 401, 401.1,  
19 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and  
20 Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and  
21 XXVI of the Illinois Insurance Code. For purposes of the  
22 Illinois Insurance Code, except for Sections 444 and 444.1 and  
23 Articles XIII and XIII 1/2, limited health service  
24 organizations in the following categories are deemed to be

1 domestic companies:

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

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

9 (Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;  
10 101-393, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff.  
11 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642,  
12 eff. 1-1-22; revised 10-27-21.)

13 Section 99. Effective date. This Act takes effect January  
14 1, 2024.