

1 AN ACT concerning insurance.

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 356c as follows:

6 (215 ILCS 5/356c) (from Ch. 73, par. 968c)

7 Sec. 356c. Insurability of newborns.

8 (1) No policy of accident and health insurance providing  
9 coverage of hospital expenses or medical expenses or both on an  
10 expense incurred basis which in addition to covering the  
11 insured, also covers members of the insured's immediate family,  
12 shall contain any disclaimer, waiver or other limitation of  
13 coverage relative to the hospital or medical coverage or  
14 insurability of newborn infants from and after the moment of  
15 birth.

16 (2) Each such policy of accident and health insurance shall  
17 contain a provision stating that the accident and health  
18 insurance benefits applicable for children shall be granted  
19 immediately with respect to a newly born child from the moment  
20 of birth. The coverage for newly born children shall include  
21 coverage of illness, injury, congenital defects, birth  
22 abnormalities and premature birth.

23 (3) If payment of a specific premium is required to provide  
24 coverage for a child, the policy may require that notification  
25 of birth of a newly born child must be furnished to the insurer  
26 within 31 days after the date of birth in order to have the  
27 coverage continue beyond such 31 day period and may require  
28 payment of the appropriate premium.

29 (4) In the event that no other members of the insured's  
30 immediate family are covered, immediate coverage for the first  
31 newborn infant shall be provided if the insured applies for  
32 dependent's coverage within 31 days of the newborn's birth.

1 Such coverage shall be contingent upon payment of the  
2 additional premium.

3 (5) The requirements of this Section shall apply, on or  
4 after the sixtieth day following the effective date of this  
5 Section, (a) to all such non-group policies delivered or issued  
6 for delivery, and (b) to all such group policies delivered,  
7 issued for delivery, renewed or amended. The insurers of such  
8 non-group policies in effect on the sixtieth day following the  
9 effective date of this Section shall extend to owners of said  
10 policies, on or before the first policy anniversary following  
11 such date, the opportunity to apply for the addition to their  
12 policies of a provision as set forth in paragraph (2) above,  
13 with, at the option of the insurer, payment of a premium  
14 appropriate thereto.

15 (Source: P.A. 85-220.)