



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1603

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356c

from Ch. 73, par. 968c

Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the insurability of newborns.

LRB094 02952 DRJ 32953 b

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 356c as follows:

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

7 Sec. 356c. (1) No policy of accident and ~~and~~ health  
8 insurance providing coverage of hospital expenses or medical  
9 expenses or both on an expense incurred basis which in addition  
10 to covering the insured, also covers members of the insured's  
11 immediate family, shall contain any disclaimer, waiver or other  
12 limitation of coverage relative to the hospital or medical  
13 coverage or insurability of newborn infants from and after the  
14 moment of birth.

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

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

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

1 additional premium.

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

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