



HR0474

LRB095 12292 KBJ 36869 r

1

HOUSE RESOLUTION

2 WHEREAS, Many families face substantial hardship when a
3 child in that family suffers from a brain disorder that is
4 congenital or acquired at a young age; and

5 WHEREAS, These disorders are sometimes known at birth, but
6 sometimes are not diagnosed until later in infancy, childhood,
7 or adolescence when an expected level of function does not
8 appear at the expected age it should; and

9 WHEREAS, These disorders can include, among others, Down
10 syndrome, cerebral palsy, and disorders within the autism
11 spectrum; and

12 WHEREAS, These children are likely to benefit from
13 habilitative care as prescribed by a physician, including
14 occupational, physical, speech, and language therapy; and

15 WHEREAS, In Illinois today, insurance companies typically
16 provide coverage for restorative or rehabilitative therapy for
17 children who, having had the ability to walk and talk, lose
18 those skills in a car accident or from a devastating disease,
19 such as meningitis; and

20 WHEREAS, The identical services are denied coverage by many

1 insurance companies when, as opposed to rehabilitative
2 services to restore a lost skill, the services are
3 habilitative, to develop new skills; and

4 WHEREAS, Providing insurance coverage for rehabilitative
5 therapy to regain a lost skill is of no greater importance than
6 providing insurance coverage for habilitative therapy to
7 develop a new skill and this unequal treatment of similarly
8 situated children and families is arbitrary and unfairly
9 discriminates against children with identical needs; and

10 WHEREAS, The practice of denying insurance coverage for
11 habilitative services discriminates against children with
12 neurological impairments, because the vast majority of these
13 children have congenital brain disorders, necessitating
14 habilitative therapies, and is contrary to the ideals of our
15 society which values access to medical care of all patients
16 with similar conditions; and

17 WHEREAS, The State of Illinois already recognizes the
18 wrongful nature of this discrimination by meeting its
19 obligations to provide habilitative services in the Covering
20 ALL KIDS Health Insurance Program; and

21 WHEREAS, In the State of Maryland, similar discrimination
22 was resolved by the passage of a law mandating insurance

1 coverage for habilitative services; the economic impact of that
2 law was considered by the Maryland Health Care Commission,
3 which reported in 2006 that the mandate for insurance coverage
4 of children's habilitative services amounted to only \$5 of the
5 annual cost of a group insurance policy, or 0.1% of the annual
6 premium, and only \$2 of the annual premium as a marginal cost
7 (cost of the benefit minus the value of services covered were
8 there no mandate); therefore, be it

9 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
10 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
11 urge the Division of Insurance of the Department of Financial
12 and Professional Regulation and the Department of Human
13 Services, in consultation with insurance companies, support
14 groups for children in need of habilitative services, and
15 medical practitioners specializing in the care of children to
16 undertake a study of this disparate treatment of Illinois
17 children and investigate: (1) the insurance treatment for
18 habilitative services by insurance companies doing business in
19 Illinois; and (2) the potential costs to premium holders by
20 mandating the coverage of habilitative care, and also the cost
21 savings of such a mandate, both societal and as an impact upon
22 reducing costs to the Covering ALL KIDS Health Insurance
23 Program; and be it further

24 RESOLVED, That suitable copies of this resolution be

1 delivered to the Governor, the Secretary of Human Services, the
2 Secretary of Financial and Professional Regulation, the
3 Director of Insurance, and the Attorney General.