

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 356z.2 as follows:

6 (215 ILCS 5/356z.2)

7 Sec. 356z.2. Coverage for adjunctive services in dental  
8 care.

9 (a) An individual or group policy of accident and health  
10 insurance amended, delivered, issued, or renewed after the  
11 effective date of this amendatory Act of the 92nd General  
12 Assembly shall cover charges incurred, and anesthetics  
13 provided, in conjunction with dental care that is provided to a  
14 covered individual in a hospital or an ambulatory surgical  
15 treatment center if any of the following applies:

16 (1) the individual is a child age 6 or under;

17 (2) the individual has a medical condition that  
18 requires hospitalization or general anesthesia for dental  
19 care; or

20 (3) the individual is disabled.

21 (a-5) An individual or group policy of accident and health  
22 insurance amended, delivered, issued, or renewed after the  
23 effective date of this amendatory Act of the 99th General

1 Assembly shall cover charges incurred, and anesthetics  
2 provided by a dentist with a permit provided under Section 8.1  
3 of the Illinois Dental Practice Act, in conjunction with dental  
4 care that is provided to a covered individual in a dental  
5 office, oral surgeon's office, hospital, or ambulatory  
6 surgical treatment center if the individual is under age 19 and  
7 has been diagnosed with an autism spectrum disorder as defined  
8 in Section 10 of the Autism Spectrum Disorders Reporting Act or  
9 a developmental disability. A covered individual shall be  
10 required to make 2 visits to the dental care provider prior to  
11 accessing other coverage under this subsection.

12 For purposes of this subsection, "developmental  
13 disability" means a disability that is attributable to an  
14 intellectual disability or a related condition, if the related  
15 condition meets all of the following conditions:

16 (1) it is attributable to cerebral palsy, epilepsy, or  
17 any other condition, other than mental illness, found to be  
18 closely related to an intellectual disability because that  
19 condition results in impairment of general intellectual  
20 functioning or adaptive behavior similar to that of  
21 individuals with an intellectual disability and requires  
22 treatment or services similar to those required for those  
23 individuals; for purposes of this definition, autism is  
24 considered a related condition;

25 (2) it is manifested before the individual reaches age  
26 22;

1           (3) it is likely to continue indefinitely; and  
2           (4) it results in substantial functional limitations  
3           in 3 or more of the following areas of major life activity:  
4           self-care, language, learning, mobility, self-direction,  
5           and capacity for independent living.

6           (b) For purposes of this Section, "ambulatory surgical  
7 treatment center" has the meaning given to that term in Section  
8 3 of the Ambulatory Surgical Treatment Center Act.

9           For purposes of this Section, "disabled" means a person,  
10 regardless of age, with a chronic disability if the chronic  
11 disability meets all of the following conditions:

12           (1) It is attributable to a mental or physical  
13 impairment or combination of mental and physical  
14 impairments.

15           (2) It is likely to continue.

16           (3) It results in substantial functional limitations  
17 in one or more of the following areas of major life  
18 activity:

19                   (A) self-care;

20                   (B) receptive and expressive language;

21                   (C) learning;

22                   (D) mobility;

23                   (E) capacity for independent living; or

24                   (F) economic self-sufficiency.

25           (c) The coverage required under this Section may be subject  
26 to any limitations, exclusions, or cost-sharing provisions

1 that apply generally under the insurance policy.

2 (d) This Section does not apply to a policy that covers  
3 only dental care.

4 (e) Nothing in this Section requires that the dental  
5 services be covered.

6 (f) The provisions of this Section do not apply to  
7 short-term travel, accident-only, limited, or specified  
8 disease policies, nor to policies or contracts designed for  
9 issuance to persons eligible for coverage under Title XVIII of  
10 the Social Security Act, known as Medicare, or any other  
11 similar coverage under State or federal governmental plans.

12 (Source: P.A. 95-331, eff. 8-21-07.)