



1. Session Overview

- a. This first week of the veto session was (mostly) quiet on the life and health insurance front. Bills of note this week included granting the authority for legislative staff to unionize, which passed out of the House 73-35-4. Other hot topic issues were energy and private school scholarship programs. The House adjourned for the week on Wednesday, punting a lot of these issues to the second week of Veto held in November. The Senate adjourned early afternoon on Thursday after some light floor action. The final week of veto session is scheduled for November 7th, 8th, and 9th.

2. Bills this Week

a. Senate State Government

i. [SB 371 Postcard Bill](#)

1. This was not a bill the Council was tracking. This bill makes it an unlawful practice for a company not connected to a company from which the recipient has purchased or obtained goods or services to knowingly mail or send or cause to be mailed or sent a postcard or letter to a recipient in this state if certain conditions are met. Some of the updated or new conditions include:
 - a. If the postcard contains a request that the recipient contacts the sender by mail and the primary purpose of the postcard or letter is the commercial advertisement or promotion of goods or merchandise or services.
 - b. The postcard does not disclose the sender's full name and any assumed fictitious names.
 - c. States that any postcards or letters sent in compliance with the Consumer protections of the Truth in Lending Act or the truth in savings act are deemed to be in compliance with the section in the bill.
 - d. This bill was filed in an attempt to clarify PA 103-0087 ([SB 1440](#)). However, the language was filed before all interested parties were notified to provide input. The intent of the original language was to control shady businesses, not businesses that are legally affiliated or who have entered into legal contractual agreements.
 - e. The Attorney General's Office is interested in clarifying the language. Please share this language with your teams and send me any feedback

and edits you may have. The Attorney General's Office is seeking clarity in enforcement that helps our legitimate business interests and processes.

- f. As of right now, if stakeholders can submit changes in time for the Attorney General's Office to sign off on language, there will be an attempt to pass this legislation during the second week of veto.
- g. **To ensure that we can provide feedback with a short turn around, please submit your feedback as soon as possible (Tuesday (October 31st) by noon at the latest).**
 - i. **This bill is currently on 3rd reading in the Senate.**

ii. **[SB 853 Senate Amendment 3](#)**

- 1. Mandates, beginning on July 2, 2024, state employees' health plans cover continued treatment (that must be medically necessary) injectable medicines prescribed on-label or off-label to improve glucose or weight loss for use by adults diagnosed with prediabetes, gestational diabetes, or obesity.
 - a. This bill was heard in the Senate State Government Committee on October 25th and was passed on the agreed bill list. This bill is currently on 3rd Reading in the Senate.
 - b. While this is only required for state employee plans, there is a push to require coverage in the commercial insurance space as well. **If your company has any estimate on the cost of this mandate, please let the Council know. It would be beneficial to have some estimate of cost as we advocate against these higher benefit mandate bills.**

3. **New Legislation**

a. **[SB 2623 No Cost Sharing Fertility Preservation Mandate](#)**

- i. This bill requires a no cost sharing coverage mandate on fertility preservation as well as follow up services. No discrimination of coverage can be made on the basis of length of life or other health conditions or personal characteristics. This was filed by a new Senator and the Council will be following up. As we all know, this will be an incredibly costly mandate. **If your company can provide the Council with a cost estimate of this mandate, we would appreciate it as we begin our conversation with Senator Toro.**

b. **[HB 4126 Market Conduct](#)**

- i. Representative Scherer filed another piece of Market conduct legislation. Please note that this is not the language that is and has been thoroughly negotiated with the Department. Springfield Clinic is working closely with Representative Scherer to move forward with her language. She has discussed her intentions with leadership her request to move this during Veto. In addition, she has said in multiple interviews that this bill will move during Veto. However, this bill is significantly different than the Department's and leadership and the Administration would likely push back on any differing language moving through the GA. In addition, we have heard from multiple sources that new language will not be taken up this veto session. The Department was also interested in moving their Market Conduct bill earlier this year, but that does not seem likely this Veto session. In discussions, the Department had only mentioned that they were working on the farm mutual reinsurance reform bill. As of October 25th, the Governor's Office had

not yet approved of any legislative agenda (for Veto or Spring 2024) for the Department. Market conduct will likely be a part of the Department's Spring 2024 legislative agenda.

c. [HB 4154 Prohibition Advanced Payment](#)

- i. Representative Harper filed a bill that prohibits facilities from charging a fee before services that is larger than the estimated cost share, copayment, or deductible. This was likely filed due to an article where facilities are charging flat fees to see patients. While this is not one where we take a position, we are monitoring the language.

4. **Noteworthy Legislation**

a. [Farm Mutual Reinsurance Reform SB 765](#)

- i. ILHIC is standing in solidarity with IAMIC, NAMIC, IIA, Agents, CBAI, APCIA, and IMA with the Farm Mutual Reinsurance Reform Bill. The bill amends the Farm Mutual Act to facilitate broader access to reinsurance products and risk capital. This will help avoid disruptions in the Farm Mutual community. The issue was that one company offering unlimited catastrophic aggregate reinsurance coverage met the Department's interpretation of the FMA requirements. Not moving the bill would cut the farm mutuals in Illinois in half. Like our dealings with the Department, negotiations have been frustrating. There have been twelve revisions sent from the Department and the stakeholders have accepted 10, but the Department was unable to state whether they would be neutral or opposed. ILHIC isn't present in the negotiations but standing with other stakeholders in support.
- ii. This bill was heard in Senate Executive Committee on October 25th and was passed on the agreed bill list. (This bill had 342 proponent witness slips filed for this committee!)
- iii. This bill passed out of the Senate Chamber unanimously.

5. **Representative Syed Meeting**

- a. The Council met with Representative Syed on Tuesday October 24, to discuss recently filed legislation. Representative Syed mentioned that both of her legislative items were Spring 2024 items.
 - i. [HB 4142](#) prohibits a life insurer from seeking information derived from genetic testing. The Representative informed us that she had filed a bill on behalf of a constituent who has Lynch Syndrome, which makes him genetically predisposed to developing colon cancer. Apparently, he was denied a life insurance policy, but she also mentioned that he is taking proactive steps to reduce his risks of developing cancer through lifestyle changes and healthier behaviors, which according to her, he believes should count for something when it comes to being able to access life insurance. We walked her through the basics of underwriting. She mentioned to us that she has very little knowledge of life insurance and welcomed the explanations the Council provided. She did mention that not everything needs to be legislated and is open to other fixes if we could help provide that to her constituent. She is interested in setting up a meeting with some of our member's medical directors to explain underwriting processes in greater detail. We will reach out to the Representative after Veto to set that meeting up.
 - ii. [HB 4180](#) mandates coverage for molecular breast imaging. She was willing to make some clean up fixes with cross references and understood the changes needed regarding changing the effective date to 2026. We plan on sending her edits to her bill.
 - iii. Finally, we mentioned some of the advocacy efforts the Council does (blog posts, podcast, insurance 101 webinars). She was very interested in the podcast as well as the

opportunity for her and her freshman legislators to go over the 101 webinars. She was very interested in our PBM 101 webinar.

6. Health Member Feedback (100% Time and Distance Standards.)

- a. The Council is requesting any feedback that companies have regarding Department small group off exchange filings and time and distance standards. There have been concerns from companies that the Department is requiring 100% of beneficiaries in the county to have access to the specialty within the associated time and distance standards. The Department's legal team has advised their 3rd party vendor that Illinois did not adopt the 90% threshold that is accepted by CMS, they only adopted the federal specialties as well as the miles and minutes requirements.
- b. This could pose issues moving forward with any Market Conduct exams. If there are companies that have or are experiencing this, please reach out to me. I would like to collect some information, and then hold a call with our health companies to discuss.

7. Regulator Roundtable Update

- a. The Council is still working with the Department to schedule an additional Regulator Roundtable this year. I have sent the Department an agenda and should hope to hear from them regarding an update next week. If there is no interest from the Department to meet at the end of this quarter, I will still work to have our questions answered that were submitted to me for discussion. However, the Council will continue to advocate for zoom meetings to be held quarterly, which was agreed to at the Department and expressed at our Annual Meeting.

8. Important Dates

- a. **Next Legislative Call: November 10th at 9am.** Please reach out to Kate Morthland or Susan List if you did not receive the call invite.
- b. **2nd week of Veto:** November 7th, 8th, and 9th. If you did not receive the invitation to that zoom invite, please reach out to me and I will forward you the call.
 - i. **We will likely receive next year's session schedule during that week.** Once we receive the schedule, we will send it to our members.