



1. Antitrust Statement

2. Legislative Overview

a. It was an extremely cold start to the first week of session in 2024. The primary races are well underway, so expect a slow start to session this year until those are out of the way. After primaries, expect an extremely fast paced session. Even though the dome was quiet this week, the Council stayed busy with meeting GA Leadership, Department Leadership, and beginning negotiation on language.

3. Regulatory Roundtable Summary

a. 2023 Data Submission

- i. The Final BY 2023 EDGE data should be submitted to CMS by April 30, 2024. The Illinois Department of Insurance currently anticipates making a data call in mid-May of 2024 with a due date for the EDGE data of June 1, 2024. We anticipate that the timing of the 2024 data call and due date will be consistent with the annual requirement going forward.
- ii. No other data calls (outside of legislation) are set for this time. However, that can change with the legislature. The Department will keep us updated with any changes.

b. NATA Provider Directory

i. The Council expressed concern of providers not attesting to companies and opportunities for DOI and IDFPR to work together to help remind providers in attesting to companies. The Department stated that while they are interested in being a part of the conversation, the Council should lead this charge and talk to IDFPR as well as IDPH (hospitals). Once these agencies are on board, DOI would like to be brought in to see how we could facilitate the reminder process of attestation.

c. Legislative Agenda 2024

- i. The Department stated its agenda for 2024:
 - 1. Admin Bill
 - a. Stop Loss: The Council asked for clarification in the stop loss provision. The Department explained that this was intended for clean up, and that this language would meld section 4 with section 352, both sections that include a stop loss definition. We are still waiting on language.
 - 2. Market Conduct
 - 3. Adverse Determination
 - 4. PBM Bill
 - 5. SBM Omnibus Bill

- ii. The Council did request white paper and language for these items. The Department is still working on clarifying and finalizing their materials.

d. Data Privacy

- i. The Council expressed interest in learning more about the Department's data privacy intentions after the data security bulletin was front of mind at the NAIC. The Department expressed that they are not looking at any bulletin at this time (besides the annual certification bulletin.)

e. Premium Misalignment

- i. The Department presented high level statistics from their recently published premium misalignment study. The study looked at 4 rate setting approaches. The study showed that most plans are aligned. However, the on-exchange silver plans are not optimally priced. The Department expressed that the NM and PA approach would assist in increasing enrollment. The Department was unable to state whether or not they are filing legislation this session in reference to this study.

f. Vaccines and Covid Coverage

- i. The Director has requested that members provide feedback on the following questions:
 - 1. What barriers are there process wise in regard to consumers receiving COVID vaccines in pharmacies?
 - 2. What processes do HMO plans have around COVID vaccine administration?
 - 3. Do plans still allow COVID vaccines to be administered by pharmacists? Was this a seamless transition from COVID?

a. Please provide any feedback you have by January 26th.

g. Marketplace Director

- i. The Department hopes that the new Marketplace Director will be hired within the month. The Department interviewed and are happy with some candidates that are now being vetted by the Governor's Office. They hope to have the new Director installed before the March Advisory Board Meeting.

h. Provider Directory Bulletin

- i. The Council expressed concern for the numbers of contracts that will be collected and received by the Department from their request in CB 2023-10. The Council provided the Department with other options for collection, including claims processing or provider attestation. The Department would like more information on these ideas. The Council will work with members to formalize alternative option requests.

i. Disability Income Data Call

- i. The call will go out soon. The Department is making some changes after receiving our feedback.

4. Meetings with Representative Syed, President Harmon, and Speaker Welch on Genetic Underwriting Prohibitions for Life Products

- a. The Department met with Representative Syed, President Harmon and Speaker Welch to discuss genetic underwriting prohibition legislation. We were joined by our very own experts from ACLI, along with Medical Directors and representatives from NYL and NWM.

b. Takeaways from the Representative Syed Meeting

- i. The Representative was understanding that her language effected one person, but would affect a whole market in a negative way, in addition to constricting access to low to middle income individuals. She did ask if there was a way to see rates differing between (for example) smoking vs. non-smoking. We did explain that there are many different factors that do into different pricing of premium and risk assessment.

c. Takeaways from the Speaker Welch Meeting

- i. Speaker Welch indicated that when meeting with the Representative on her priorities, this was not on her list. He also provided an opportunity to meet him again if there are any arising issues.

d. Takeaways from the President Harmon Meetings

- i. President Harmon wanted to know the difference of family history and genetic testing, explaining that this seems like a circular issue. *Life Insurance wants to keep costs low and make liberal risk identification when possible (when there is adequate information). Harmon raised this question of how that is a successful business model.

5. New Legislation of Note

- a. **SB 2659 Colonoscopy Coverage Mandate 39-75**
- b. **SB 2671 Hippotherapy Coverage Mandate**
- c. **SB 2672 Coverage for Brand Name Drug During a Shortage Coverage Mandate**
- d. **SB 2691 No Advance Notice Needed Sick Leave**
- e. **SB 2697 Genetic Testing Cancer Coverage Mandate**
- f. **HB 4421 Prohibition Step Therapy Breast Cancer**
- g. **SB 2735 No Provider Fee for Electronic Funds Processes**
- h. **SB 2744 Vaccine Administration Fees Coverage Mandate**
- i. **SB 2759 Baseline Testing Genetics for Adoptee Coverage Mandate**
- j. **HB 4472 Prescription Drug Affordability Board**
 - i. **Meeting with Representative Syed on Friday to discuss bill. This is priority to her this session.**
- k. **HB 4475 Out of Network/ In-Network Mental Health Coverage Mandate**
- l. **HB 4477 No Network Required Health Mandate**
- m. **SB 2789 No Contract Period Change Health Plan**
- n. **HB 4504 25/50 Dollar Cap for Inhaler Coverage Cap Mandate**

6. Postcard Bill Update SB 1440 SB 371

- a. The Coalition sent the attached language to the AG's Office in an attempt to get them on board with exemptions.
- b. In the discussion, The AG's office noted that there are legitimate federal preemption issues listed (HIPAA and Medicare) but are less convinced of other requested exemptions.
- c. However, there is a real possibility that the AG's office will remove ALL exemptions (including HIPAA and Medicare.)
- d. The coalition is preparing for a second round of negotiations, as they believe that the AG will deny all other exemptions.
- e. There is an argument from the coalition members that the language drafted (by the Council) in 2PP is sufficient to provide coverage for concerned entities. I understand that exemptions are more favorable, however, I wanted to be prepared for the worst if the AG comes back denying exemptions.
- f. Please let the Council know if your team believes the language in 2PP is sufficient for coverage in the event that the AG's office denies ALL exemptions. In your feedback, please include your team's reasoning. **If possible, please get this feedback to me by Tuesday, January 23rd.**
- g. Sen. Ventura does not plan on running any legislation until there is an agreement among the parties. I understood "among the parties" to mean an agreement with the AG's office.

7. Upcoming Legislative Deadlines

- a. **LRB Draft Deadline – January 19th**
- b. House and Senate Introduction of Bills – February 9th

- c. Governor's Budget Address- February 21st
- d. Senate Committee Deadline- March 15
- e. House Committee Deadline- April 5th
- f. Senate 3rd Reading Deadline- April 12th
- g. House Bills 3rd Reading- April 19th
- h. House and Senate Committee Deadline- May 3rd
- i. House 3rd Reading Senate Bills- May 17th
- j. Adjournment- May 24th
- k. Possible contingent session (May 25th- May 31st)

8. Upcoming Feedback Deadlines

- ~~a. STLD Final Bill Draft - January 17th~~
- b. PBM Bill -January 26th
- c. SBM Bill -January 26th
- d. Director COVID Vaccine Feedback -January 26th
- e. Supplier Diversity Regulation- Feb 1st
- f. Rate Review Regulation- Feb 6th

9. 2024 Insurance Industry Legislative Day

- a. The 2024 Industry Lobby Day will be held on March 13th, 2024, from 1:30-7:30. Registration opens at 1:30pm, there is an educational seminar from 2:00-5:00pm, followed by a legislative reception from 5:30-7:30. We will be sending out sponsorship and registration forms next week.