



ILHIC

Bills in Committee

Week of April 1, 2024



Tuesday April 2

House Insurance

HB 2580- Network Adequacy Specialists- ILHIC is opposed to the underlying bill. We have offered the Senate Sponsor and Stakeholders alternative language narrowing the bill to coincide with the stakeholder's intent. We are waiting to hear from stakeholders on additional language.

HB 2581- Nonparticipating Providers- ILHIC is opposed to this bill. This language raises serious administrative concerns. Arbitration is a process that is within the contracting process. The contracting process should stay between the two private parties/entities. There is a concern that this would open a Pandora's box of legislative measures taking aim at private contracting and negotiation between two parties.

HB 3812- Health Benefits/ Cost Share- ILHIC is opposed to the underlying bill. However, the Council moves to Neutral with House Amendment #2.

HB 4055- Prior Authorization Emergency-ILHIC is opposed to the underlying bill. We are working with stakeholders to provide alternative language.

HB 4126- Market Conduct- ILHIC is opposed to this language. We are currently working with the Department of Insurance on their Market Conduct language initiative along with all industry stakeholders with SB 1479.

HB 4180 HFA #2- ILHIC is neutral with the Amendment.

HB 4421- Breast Tomosynthesis-ILHIC is opposed to the bill. The Illinois General Assembly enacted [PA 101-580](#), [SB 162](#). This language mandated coverage for "second look" mammograms. Specifically, the statute already covers a diagnostic mammogram, and PA 101-580 expanded statute to include second look mammograms. We are waiting for some information from the Sponsor to determine whether this is an issue that is seen in self-insured individuals. Meaning, these individuals are regulated under the federal government and do not have access to this state coverage mandate.

HB 4460- Police and Fire Mental Health- ILHIC has no position on this bill.

HB 4633- School Based Health Center-ILHIC is currently opposed to this bill. The intent of the bill is to ensure that when students with private insurance utilize school- based health centers, that these services will be properly billed to the insurance company and there will not be consequences of a higher charge due to a child not being referred by a primary care physician. The Council proactively pursued legislation last year that sought to clarify existing law around the use of in-network referrals in HMO products. HB 1186 (Croke/Fine) clarified provisions in the existing Health Maintenance Organization Act to allow patients enrolled in an HMO to access in-network services and providers without actively obtaining a referral from a primary care physician prior to obtaining those

services. This bill passed last year and is now [PA 103-0104](#). The effective date of this bill is January 1, 2024 (the start of this year). The Council believes that this might alleviate some of the concerns without having a legislative fix. We are meeting with the Sponsor and school-based health center to discuss our feedback on Monday of next week.

HB 4789- Dental Preauthorization-ILHIC is opposed to the underlying bill. However, we are neutral with the forthcoming amendment.

HB 5103 HCA #1- Cancer Screening- ILHIC has no position.

HB 5258- Dependent Coverage- ILHIC has no position. We did have a question regarding the possible conflict between state and Federal law. However, it is the Department's legal interpretation that there is no conflict.

HB 5295 HCA #1 Hormone Therapy Menopause- ILHIC has no position.

HB 5382- Continuous Glucose Monitor- ILHIC is opposed to the bill. However, we have agreed language with the companion bill, SB 3414 with a forthcoming 3rd amendment. There will be another amendment addressing transmitters and coverage of transmitters forthcoming.

HB 5493- Insurance Various- ILHIC has no position with the HCA #1, which includes our requested edits.

HB 5518- Drug Formulary Posting-ILHIC opposes this bill. Provides that "State-regulated health plan" means any health insurance plan issued by an insurer regulated by the State or health insurance plan operated and administered by the State, including, but not limited to, the medical assistance program under the Medical Assistance Article of the Illinois Public Aid Code, fee-for-service plans, and managed care organizations. This definition brings many different plans under the Code (in which they have no authority). In addition, the consumer can already access the tiers and formulary.

House Health Care Availability and Accessibility Committee

HB 3256- Affordable Drug Manufacturing- ILHIC has no position on the bill.

HB 4056- Maternal Workgroup Act- ILHIC has no position on this bill.

HB 4472- PDAB Bill- ILHIC is currently opposed to this bill and having discussions with the Sponsor to address specific industry concerns.

HB 4548- Pharmacy Benefit Managers ILHIC is opposed to the bill. The Council has concerns regarding restricting processes that provide drug cost savings to consumers as well as mandatory payments to pharmacies, which increases costs to consumers.

HB 5051- Prior Auth Prescription Drugs ILHIC is opposed to the bill. We are working on a similar bill in the Senate and requested that the Sponsor carry this in the House.

HB 5355 Nonopioid Alternatives Act -ILHIC is opposed to this bill. HB 5355 makes it unlawful for an insurer to deny a non-opioid drug for acute pain or disadvantage a non-opioid drug for acute pain. The Council has concerns that this will affect only 30% of the insurance market in Illinois. Meaning, this mandate does not extend to County, Municipal, Schools, State Employee, or ERISA based plans. Additionally, there are many factors within step therapy that determine why certain drugs are denied or approved. These standards correspond to the generally accepted standards of care. There are also concerns regarding disadvantageous language in the formulary. This would cause concerns for medications that have multiple uses as well as increase prescription drug costs for consumers by prohibiting insurers to treat non opioids on similar tiers as opioids, without consideration of the drug cost. While the Council understands the intent of the bill, opioid medicines are critical to some patients and need to be prescribed under medical needs when assessed by a physician.

HB 5517- Health Care Costs Act- ILHIC has no position on this bill.

Wednesday April 3rd

House Jud-Civ Committee

HB 4093 Health Data Privacy Act- ILHIC is opposed to the bill. ILHIC suggested the following changes

1. Adding an entity and affiliate level exemption subject to GLBA
2. Exempting personal information collected, sold, processed, or disclosed subject to the Fair Credit Reporting Act
3. Exempting entities subject to the Illinois Data Security Law

We believe these changes will clarify exemptions to these areas that are already highly regulated within the Insurance Code and were not intended to be included within the bill's intent. We have not heard from the Sponsor or stakeholders on this bill.

HB 5476 Consumer Fraud Agreements- ILHIC is opposed. ILHIC's member companies are regulated by specific arbitration statutes within the Illinois Insurance Code. The intent of the language established within the Illinois Consumer Fraud and Deceptive Practice Act is a "belt and suspender" approach to ensuring consumers effectively vindicate their statutory and common law rights in respect to arbitration. Because this approach is meant to be compiled as a means of extra protection to the Illinois Uniform Arbitration Act, the Council is requesting exemption language within the Consumer Fraud and Deceptive Practices Act (815 ILCS 505/2(b)). The insurance industry is unlike Postmates, Door dash, Coinbase, Version, Live Nation Entertainment Inc., and Uber. Claims processing is individualized, and arbitration is specific to the uniqueness and complexity of medical claims. This industry exemption would not deter your intent to add additional guardrails for those subjected to the Uniform Arbitration Act. Additionally, an exemption of the Insurance Industry is consistent with the other States moving this legislation (California). We have shared this language with the stakeholders and have not heard back.

HB 5321- Consumer Fraud AI Labeling- ILHIC has no position.

Thursday April 4th

House Public Health Committee

HB 5246 Health Care Funding Act- ILHIC is opposed to this bill. There are various administrative concerns with this bill as well as procurement and funding considerations that were not addressed in discussions. Assessing insurers to help pay for a program that is already provided by the Federal Government is duplicative and will raise healthcare costs to a small subsection of the Market.

House Mental Health and Addiction Committee

HB 4475- Behavioral Health- ILHIC is opposed to the underlying bill. We are currently working with the Sponsor and stakeholder to come to an agreement.

