



## **ILHIC Member Call Notes**

**May 14, 2021**

### **1. Key Bill Updates**

- HB 2595- Medical Necessity MH/SUD- ILHIC and KFI continued negotiations and settled on language that all parties could agree too. I have circulated the language that was finalized. As a reminder, this language established that nonprofit criteria be used for patient placement, while other criteria may be used for determinations outside of patient placement. Senator Fine is intending to call the bill next week when the agreed to amendment is filed and posted.
- HB 3498/ HB 3308- Telehealth- Both bills are assigned to Senate Insurance, which is good news and what ILHIC was hoping for. It is still up in the air which bill will be negotiated on. Senator Harris is the Senate Insurance Chair and expressed interest in negotiating off 3308, which would be better for us because it is closer to what we deem acceptable compromise. However, President Harmon expressed negotiating off 3498, which would be a bit more difficult because the bill is a blatant push for payment parity, not to assist consumers in getting increased access to telehealth. Negotiating 3498 will be an uphill battle. The hospitals did say they are attempting to give us feedback to our feedback submitted a while ago. It has been difficult negotiating this issue because the hospitals refuse to come to the table to negotiate, thus creating two different bills. Hopefully, the hospitals will get suggestions back to us to begin the negotiations on the bill. As session dwindles, time is of the essence for an issue that has stalled on multiple occasions. Senator Harris intends to have a subject matter hearing on Telehealth next week to walk through each bill.
- SB 967- Maternity/ Postpartum Mandate- ILHIC has been working with Senator Castro and Senate Staff regarding alternative language to HB 967. An amendment was filed that included most of our changes with a definition added by the Department of Insurance in consultation with the Department of Public Health. Language defines case management as an individualized assessment of needs, planning of services, referral, monitoring, and advocacy to assist an individual in gaining access to appropriate services and closure when services are no longer required. They define case management is an active and collaborative process involving a single qualified case manager, the individual, the individual family, the providers, and the community. We did explain to staff that we are unlike Medicaid in this space. However, the Sponsor thought it important to define case management. Staff did inform us that we can talk to

the House for any issues. ILHIC circulated the language. Please reach out with feedback if there is any concern with the definition.

- **HB 135- Contraceptive Patient Services Mandate-** ILHIC Senator Bush and Representative Mussman negotiated on HB 135. Specifically on the patient services mandate placed in the Insurance Code. We mentioned that ILHIC had overall concerns regarding placement of language in statute that is usually left for contractual negotiations. The Independent pharmacists would really like to see something in the Insurance Code. So, as an option, we circulated language that came from Colorado's statute regards pharmacists and their ability to prescribe hormonal birth control. Colorado language states that patient care services shall be covered if specific criteria are met. We believed this language softens the mandate as currently written as well as provides them with a state they mentioned as a good example of this law working. The Sponsors have agreed to use our language restricting the mandate in the insurance code to the specific expansion of scope of practice for pharmacists prescribing hormonal birth control.

## **2. Committee Action Items**

- **House Insurance**

- **SB 332- Network Adequacy-** SB 332 involves directories and placing the use of telehealth information with providers. ILHIC was neutral and this bill passed on the agreed bill list.
- **SB 471 MH/ SUD access standards-** SB 471 sets provisions for timely and proximate access to MH/SUD services. ILHIC was Neutral and this bill passed on the agreed bill list.
- **SB968- Pancreatic Cancer Screening-** SB 968 provided a mandate for coverage or all medically necessary pancreatic cancer screening. ILHIC was neutral and this bill passed on the agreed bill list.
- **SB1592- Autism Spectrum Disorders-** SB 1592 prohibits insurers to deny for services solely because of the location where the clinically appropriate services were provided. ILHIC was neutral and this bill based on the agreed bill list.
- **SB 1854 A1C Testing Coverage Mandate-** SB1854 mandated coverage for A1C testing recommended by a health care provider for certain illnesses are present. ILHIC was neutral and this bill passed on the agreed bill list.
- **SB1974- Recoupment-** SB 1974 states that no recoupment may be requested or withheld from future payment 12 months or more after the original payment is made. ILHIC was neutral and this bill passed on the agreed bill list.

- **Senate Health**

- **SB967 Maternity/ Postpartum Mandate-** This bill passed on the agreed bill list. ILHIC was neutral and is still seeking feedback for the late addition of case management definition. This passed out of the Senate and has arrived in the House.

- **House Human Services**

- **SB 1096- COVID-19 Testing Trailer-** SB 1096 is the trailer bill for the COVID-19 Testing mandate for LTCs passed in lame duck. The testing has a sunset of

January 1, 2022. ILHIC was neutral on the bill and the bill passed out of committee.

- **Senate Insurance**

- SB 2158- Port Wine Stains- Mandates coverage for maximum feasible treatment for nevus flammeus. This bill was postponed in Senate Insurance and was not heard this week. There is an additional amendment that prohibits coverage for cosmetic purposes as well as tightens up the mandate by listing situations creating functional impairment, which would trigger the coverage. This bill passed on the agreed bill list.
- HB 135- Contraceptives- HB 135 creates a standing order for pharmacists to prescribe hormonal contraceptives. In addition, the bill mandates coverage for patient care services for pharmacists. ILHIC is submitting alternative language. This bill was assigned to insurance but not heard this week. Senator Bush intends to call the bill next week with the amendment.
- HB 1745- Pre-Deductible Flat Dollar Copayment Structure- This bill mandates issuers to ensure that at least 10% of health plans offered provide a flat-dollar copayment structure to the entire drug benefit. This bill is in Senate Insurance and passed on the agreed bill list.
- HB 1779- Biomarker- HB 1779 includes a mandate for biomarker testing coverage. This bill is in Senate Insurance and passed on the agreed bill list.
- HB 1955- Holding Company Clean Up- HB 1955 adopts Holding Company Act 2014 amendments and clean up. ILHIC supports this bill and this bill passed on the agreed bill list.
- HB 1957- Insurance Code Clean Up- HB1957 provides various Code clean ups, including producer prelicensure courses to take place via webinar. ILHIC supports this bill and this bill passed on the agreed bill list.
- HB 2595 Medical Necessity MH/ SUD- This bill creates medical necessity standards for MH/SUD services. Senator Fine did not call the bill in committee this week. She intends to call the bill next week when the agreed amendment is filed.
- HB 2653- Colonoscopy Flat Dollar- HB 2653 mandated first dollar coverage for a diagnostic colonoscopy. The provisions include HSA preservation language. ILHIC is neutral on the bill and the bill passed on the agreed bill list.

### **3. Other Bills**

- HB 33- Life Insurance MH/SUD- ILHIC was successful in amending the language and the bill is intended to be called and passed on the agreed bill list in Senate Insurance next week.
- HB 295- Prepaid Funeral Burial- The bill did get out of the house. However, agencies still had significant concerns. The bill is likely not moving this session. It has been placed in a subcommittee and there will be conversations over the summer discussing the intricacies of the bill in detail.
- SB 1847- Equal Pay Certificate- An amendment was filed intended to be a trailer that addressed delaying implementation as well as corporate protections. There will be

more conversation to tie up any remaining concerns. The language changes must go back to the Black Caucus for approval.

- HB 3918- Mandated Reporter- This bill did pass out of the house and made its way to the Senate. There was a new amendment filed to SB 700, which adds the mandate in HB 1918 to the bill. There is a difference in SB 700 language that expands the language to all adjusters.
- Bridge Phase- The Governor intends to move towards the Illinois Bridge Phase today. It can be compared to a “soft opening” of the state. Capacities will be increased and certain rules regarding distancing will be relaxed. In addition to the recent CDC guidance, the Governor did make note that there might be guidance issued at a state level that coincides with the relaxing CDC guidance. The Governor did extend Executive Order 29 (Producer Licensing) and 9 (telehealth) until May 29<sup>th</sup>. As the State opens further, there is a chance that these Executive Orders are not extended.

#### **4. Upcoming Deadlines**

- May 31- Adjournment