

ILHIC Member Call Agenda

May 7, 2021

Call in Number 877-366-0711

Pass Code 65100221#

1. Key Bill Updates

- **HB 2595 – Medical Necessity MH/SUD**

- i. ILHIC met with KFI to continue discussions on HB 2595. They have agreed to do the following:
 1. The addition of the word “comorbidities” to the definition of medical necessity to alleviate duplicity within the bill.
 2. Changed the effective date for implementation purposes from 2022 to 2023.
 3. Added the word “entitlement” into the program language. This was a term of art and similar to the California law. There was also language to make it clear that insurers are not required to cover benefits that have been authorized and provided by a public entitlement program. This spurred from a concern regarding IDEA Neurological and psychological testing.
 4. Most of the conversation was focused on (l) and (m) of the bill. KFI had a difficult time understanding that utilization review and medical necessity were two different things, and utilization review needs multiple criteria to function properly. There was clarification in the language that nonprofit clinical specialty criteria for level of care (patient placement) determinations. In (m), language clarifies that for non-level of care placement, insurers are permitted to use other criteria.
 5. Language was deleted that would conflict or be duplicative with HB 711. (Prior Auth)
 6. In regard to interrater reliability, links back to other reporting requirements in 370c.1.
- ii. Fine would like to move the bill next week. However, the Council is going to make it a strong push to keep the bill in committee until it is finished. We had talked to Senator Severson and Senator Harris to request to keep the bill in Committee until it is ready. ILHIC is going to have another discussion with Senator Fine and Senate Staff today.

- **SB 967- Maternity/ Postpartum Mandate**

- i. The alternative language we suggested for SB 967 was approved by all parties and Senator Castro. The bill has a deadline extension of May

7th. However, HFS has some additional suggested language (in an area of the bill not affecting us) that staff is working on including now. They intend to get another extension for the bill and call the bill next week.

- **HB 3498/HB 3308- Telehealth**

- i. Both bills are still in assignments in the Senate. Earlier this week ILHIC's Health Members had a strategy conversation regarding possible negotiation in the Senate. As members are aware, the hospital, being an extremely strong lobby, is pushing broadening telehealth payment parity beyond behavioral health services. If that is the case, a possible suggestion would be to sunset the parity in 2023 and strengthen the language in 3308 around the task force. Specifically, making sure that task force is studying utilization and provider practice of telehealth. The Council is also suggesting that telehealth satisfy network adequacy requirements. The goal of the legislators is to somehow marry the two bills. If this is the case, ILHIC will work to tighten up any pieces we can to lessen any impact.

- **HB 3918 – Insurance Adjusters & Investment Advisors Mandated Reporters**

- i. HB 3918 adds investment advisors and insurance adjusters as mandated reporters. Existing law extends criminal and civil liability to mandated reporters. The Senator is passionate about this bill and the bill originated from a constituent issue. However, he intends to pursue additional legislation in the future and calls this the "first step." This bill will not be up next week.

2. Committee Action Items

- **House Insurance**

- **SB 499- TMJ Mandate**

- Passed on the agreed bill list. This bill adds existing optional coverage requirements for reasonable and necessary treatment of TMJ disorder.

- **SB 1876- Prevention of Loss Coverage**

- Passed on the agreed bill list. This bill requires policies of group life insurance to contain a provision preventing loss of coverage, for active employees who are not actively at work on the effective date of the new policy, if replacing another policy of group life insurance that is currently in force.

- **SB 1917- Epinephrine Injectors**

- This bill removes the age limit (currently 18) in mandated coverage provisions for medically necessary epinephrine injectors. This will be assigned to House insurance and is posted for hearing on May 11 of next week.

- **Senate Insurance**

- **SB 147- Medicare Birthday Rule**

- ILHIC language was the amendment and passed out of the Senate Insurance. Yesterday, the bill passed out of the Senate and is headed to the house.
- **SB 930- Task Force on Disability Income Insurance Parity**
 - ILHIC supports this language to continue the task force to discuss parity for disability income insurance. The Governor's Office is finally beginning to appoint members and we continue to suggest that this bill moves forward in lieu of SB 202, which states that it is a civil rights violation to offer a policy that does not include equal terms of coverage for MH/SUD treatments. SB 202 is still on 2nd reading with a deadline of May 7 (today). SB 930 is on third reading. Senator Morrison does not want to drop SB 202, but understands that the bill needs more work before carrying it.
- **SB2158- Post Wine Stain Mandate**
 - Amendment 1 requires coverage for treatment of port-wine stains, which includes early intervention treatment, in children agreed 5 years and younger with the intent to prevent functional impairment to vision and oral function, inflammation, bleeding, and infection. This language does not include cosmetic purposes. This is posted to insurance for May 12th or next week.
- **HB711- Prior Auth**
 - Agreed Prior Auth. Legislation passed out of House Insurance on the agreed bill list.

3. Regulatory Items

- **DOI Bulletin Temporary Licensed Producers CB 2021-06**
 - DOI published 2021-06, urging temporary licensed producers whose license is close to or in excess of 90 days to obtain a testing date as soon as possible.
 - The Governor issued another executive order (EO 2021-09) on Friday extending the producer licensure accommodations set forth in EO 2020-29 and the telehealth coverage provisions set forth in EO 2020-09 through May 29.
 - <https://insurance.illinois.gov/cb/CB2021-06.pdf>
- **DOI Bulletin Microsoft Exchange Vulnerability Notification**
 - The purpose of the bulletin was to alert regulated entities to Microsoft Exchange vulnerabilities that DOI has been made aware of. They urge companies to assess exposure to any vulnerabilities.
 - <https://insurance.illinois.gov/cb/CB2021-07.pdf>
- **DOI Bulletin Filing Requirements for Individual and Small Group Health Plans CB 2021-05**

- The Illinois Department of Insurance (DOI) issued bulletin [CB 2021-05](#) – filing requirements for individual and small employer major medical plans and stand-alone dental plans. The purpose of the bulletin is to provide filers of individual and small employer major medical plans and stand-alone dental plans guidance for plan issuance or renewal in plan year 2022. The bulletin includes information applicable to filers of plans offered on and off the Federal Facilitated Marketplace.
- Important information from the bulletin includes: key dates for plan year 2022, documentation and requirements for SERFF rate and form filings, QHP rate guidance, maximum annual limitations on cost sharing, and health plan filing requirements for forms, binders, and rates.

4. Other Discussion Items

a. Social Impact Investing HB 1960

- i. There has been discussion addressing racial disparities and wealth gaps in the Capitol. HB1960 sets up Black Wall Street, creating loans and financial assistance to communities. The bill would set up municipal programs for underserved communities. Discussion revolved around what role is there for private industry in this space, as well as taking a proactive approach to this issue. ILHIC is looking to engage in this early June.

5. Upcoming Deadlines

- May 31- Adjournment