

ILHIC Legislative Committee Call Summary

March 27, 2020

Legislative Session Update

The General Assembly announced they will remain out of session until further notice, with both chambers still notifying members that they could be called back sometime during the weeks of April 6 or 13 to take up limited measures (including the hospital assessment reauthorization bill referenced on last week's call). The committee deadlines for both the House and Senate have been extended to April 24 (the current bill crossover deadline). Other legislative deadlines will most likely receive a similar extension.

IL COVID-19 UPDATES:

DOI Bulletin Issued on Telehealth Coverage Expansion (Executive Order 2020-09)

The Department issued [Bulletin 2020-04](#) on Wednesday providing implementation guidance and clarification on aspects of the [Executive Order 2020-09](#) regarding expansion of coverage for health care services delivered via telehealth. The Bulletin reinforces that the coverage be provided subject to medical necessity by in-network providers without cost-share to the insured, in addition to requiring the provider reimbursement rate equal the rate that would have otherwise been reimbursed if the service was provided in-person.

The Bulletin underscores the EO's intent that the requirements are only in force for the duration of the Governor's disaster proclamation and any renewals therein. *(The Governor's original disaster proclamation will expire April 8, but he is expected to renew that proclamation for an additional 30 days.)*

The Council sought clarification from the Department regarding the EO's inclusion of certain excepted benefits, including long-term care, accident-only, and specified disease policies that do not provide coverage for telehealth services in the same way a comprehensive health insurance plan would cover such services. The Bulletin provides for these distinctions and application of the EO only in cases where a covered benefit under such policy might result in the delivery of that benefit via telehealth, in which case, the policy would reimburse the insured as they might otherwise reimburse the insured if that covered benefit were delivered in-person.

The bulletin also addresses some of the interplay that will exist with the Medicaid emergency rule, that has not yet been issued, while acknowledging key distinctions between requirements that may impact Medicaid health plans that are not otherwise required by fully-insured health plans.

Finally, the bulletin also reinforces that the EO did not change provider scope of practice laws, which means that providers that are not otherwise authorized to practice telehealth within their existing scope of practice are not covered by this requirement.

If members have any questions or concerns with the Bulletin, please do not hesitate in reaching out and the Council will bring those back to the Department's health policy and products team.

Producer Licensing/Renewal Guidance

Illinois currently requires pre-licensing and a portion of the continuing education requirements to be delivered in a classroom setting. Current law also does not allow for an extension for completion of the CE requirements

and a penalty is assessed for failure to complete those CE's at least 10 business days prior to the license renewal date. All licensed pre-licensing, CE, and testing centers have been suspended until at least April 16.

The Council, along with NAIFA IL and the Independent Insurance Agents of IL, have been working with the Department to secure some administrative relief to provide for extensions of CE requirements and license renewals, as well as allow those certified CE and pre-license providers to offer needed course work virtually.

The Department has not issued such guidance to date but has indicated that they are attempting to work on finding a temporary solution.

Paramedical Professional Services – Essential Services Guidance

In light of [Executive Order 2020-10](#) implementing a shelter-at-home order and stop to all non-essential services until April 7, the Council also reached out to the Department to request further guidance on essential insurance services as it relates to the continuation of paramedical professionals for life insurance application health examinations.

The Department has indicated that they do not intend to issue guidance on this at this time and encouraged companies to consult with their legal department to determine how they choose to proceed with these services.

Additional Regulatory/Compliance Relief

In addition to those items highlighted above, the Council continues to work with the Department to identify and navigate regulatory and compliance challenges that may arise as the disaster proclamation and reduction in services remains in place. Members are encouraged to reach out with any issues or needs that the Council can bring to the Department's attention.

Furthermore, the Council is also compiling a list of priority issues for consideration should the Legislature develop a list of priority legislation for action in a compressed spring session schedule, or in the absence of action, seek additional guidance from the Department.

For example, a bill currently pending in the Senate - [SB 3425 \(Bush\)](#) – serves as a vehicle for extending the report start date for health insurance carriers to begin mental health parity compliance reporting in accordance with [P.A. 100-1024](#) since that reporting template has not yet been developed. Current law requires health insurers to begin that reporting to the Department on July 1. If lawmakers are unable to advance that bill before the end of the spring session, the Council has requested the Department issue guidance indicating that they will not require insurers to meet that July 1 deadline.

UPCOMING MEETINGS/IMPORTANT DATES:

April 6 – 27 – General Assembly Spring Break (Original) – Return to session is possible during this time frame

April 24 – Committee Deadline (Original House/Senate Bill Crossover Deadline)

May 31 – Scheduled Adjournment Date

June 8-10 – ILHIC Annual Meeting – Lake Geneva

November 3, 2020 – General Election Day