

ILHIC Legislative Committee Update

May 8, 2020

New ILHIC Website Launched!

The Council's new website is officially up and running at www.ilhic.com. If you have questions about access to the member's only page, please e-mail Susan at slist@ilhic.com.

PLEASE NOTE: ILHIC staff e-mails have also been updated to align with the new site, so you can reach Laura at lminzer@ilhic.com and Susan at slist@ilhic.com.

Producer Licensing – Temporary License

ILHIC recently sought clarification from the Department regarding the steps a first time, unlicensed producer must take in order to obtain a temporary producer license. Below is the response provided by the Department:

First time person to obtain a temporary license: The individual would need to be appointed by the insurer they are working for.

1. Individual applies on-line through www.NIPR.com and pays \$5 transaction fee
2. Sponsoring insurance company goes to www.NIPR.com and appoints them to their company and pays a \$50 fee. Company has 30 days to appoint them. If they do not license gets cancelled.
3. License is not active until the appointment is made. Meaning individual cannot sell, solicit and negotiate insurance.

The Department also informed ILHIC that testing facilities are also open at 50% capacity.

Just as a reminder, the IIA of IL has extended a discounted offer to ILHIC members and their business partners to take advantage of their next Life & Health virtual pre-licensure courses on May 21 and 22. Members can access the information at the link: <https://ilprelicensing.com/Registration>. Use discount code **LifeAgents20** to get \$205 pricing.

IIA of IL is also offering a class to provide licensure testing study and review for Life & Health on May 27 for those who took the virtual pre-licensure courses.

Legislative Session Update

The House and Senate are currently discussing plans to return to Springfield to reconvene the legislative session; however, no return date has been set at this time. There has been discussion regarding the possibility of bringing lawmakers back later this month – possibly the third and/or fourth week of May – to vote a new Fiscal Year 2021 budget.

Passage of a new budget only requires a simple majority in each chamber if the vote is conducted prior to May 31. The threshold for passage of a new budget increases to a three-fifths majority in each chamber if a vote is conducted after May 31.

In the meantime, the Illinois Department of Public Health (IDPH) has developed draft guidance outlining recommended protocols for reconvening the legislative session, which includes limited access to the Capitol that would not allow physical access to lobbyists, interested parties, or the general public. Interested parties and the general public would be allowed to access any committee hearings virtually and provide input either via written testimony, or by way of staff and legislators through electronic communications.

The complete draft IDPH guidance is attached to the notes below.

The House announced plans to allow staff to return to the Capitol on a limited basis, which has meant that new legislation may be introduced. Both the House and Senate clerk's offices have been closed since the General Assembly announced in mid-March that they would not return to Springfield until further notice.

Several new bills have been introduced, including [HB 5769 \(Thapedi\)](#), which would require all essential employers (including insurers) to provide personal protective equipment to their employees and any independent contractors located within Illinois. Business groups, including ILHIC, oppose the legislation, but it is unclear at this time if legislation like this will be addressed when lawmakers return.

Senate and House working groups continue to meet, but as noted, these working groups are separate from the normal committee process and are only open to interested stakeholders by invitation. ILHIC has been invited to address the topic of insurance coverage and access to mental health care at a virtual meeting of the Senate Health and Human Services Working Group later this afternoon.

ILHIC will continue to keep members apprised of any developments regarding the status of the legislative session, including any issues that are expected to be taken up during what is likely to be a limited session.

Restore Illinois – Administration's Roadmap for Reopening the State

The Governor announced on Tuesday a new phased-in approach to reopening the state on a regional basis. The plan, known as [Restore Illinois](#), consists of five phases to reopening each of the state's four regions identified in the plan: Northeast Illinois, North Central Illinois, Central Illinois, and Southern Illinois.

As noted by the Governor, the entire state is currently in Phase 2 known as the "Flattening Phase" and each region would not be able to move into Phase 3 unless certain public health data benchmarks are met. Reopening of the state and a return to normalcy (Phase 5), which would include gatherings of more than 50 people, would not occur until a vaccine or treatment is available.

The five phases of reopening for each health region are as follows:

Phase 1 – Rapid Spread: The rate of infection among those tested and the number of patients admitted to the hospital is high or rapidly increasing. Strict stay at home and social distancing guidelines are put in place and only essential businesses remain open. Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.

Phase 2 – Flattening: The rate of infection among those tested and the number of patients admitted to the hospital beds and ICU beds increases at an ever slower rate, moving toward a flat and even a downward trajectory. Non-essential retail stores reopen for curbside pickup and delivery. Illinoisans are directed to wear a face covering when outside the home, and can begin enjoying additional outdoor activities like golf, boating and fishing while practicing social distancing. To varying degrees, every region is experiencing flattening as of early May.

Phase 3 – Recovery: The rate of infection among those tested, the number of patients admitted to the hospital, and the number of patients needing ICU beds is stable or declining. Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions. All gatherings limited to 10 or fewer people are allowed. Face coverings and social distancing are the norm.

Phase 4 – Revitalization: The rate of infection among those tested and the number of patients admitted to the hospital continues to decline. All gatherings of up to 50 people are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the IDPH. Face coverings and social distancing are the norm.

Phase 5 – Illinois Restored: With a vaccine or highly effective treatment widely available or the elimination of any new cases over a sustained period, the economy fully reopens with safety precautions continuing. Conventions, festivals and large events are permitted, and all businesses, schools, and places of recreation can open with new safety guidance and procedures in place reflecting the lessons learned during the COVID-19 pandemic.

Stay at Home Executive Order – Pending Litigation Update

The Administration is seeking supervisory relief from the IL Supreme Court under Rule 383, which would assert control over lower court proceedings to either affirm or reject the legal question of whether the Governor appropriately executed his authority under the Illinois Emergency Management Act and the Illinois Constitution. The request for supervisory relief comes after Republican Representative Darren Bailey sought to vacate the TRO granted by a circuit court judge that would give him a personal exemption from the Governor’s stay-at-home order.

As noted last week, another Republican legislator – John Cabello- has also filed a lawsuit challenging the Governor’s authority to issue multiple disaster proclamations and extend the stay-at-home order as it applies to all Illinois residents.

At least two other lawsuits have been filed issuing similar challenges, including a church in southern Illinois (for which a TRO was not granted) and a business located in central IL.

IL DOI – Regulatory Update

Proposed Rule – Life & Health Policy Filing Requirements

Just a reminder to members to submit any comments and feedback to the Council regarding the DOI’s proposed rule regarding life, health, and accident policy filings by **May 22**. The Council will be preparing a comment letter to the Department outlining concerns with the proposed rule that would require life and health insurers to file a complete policy form and prohibits submission of matrix pages, insert pages, and forms in modular format.

The [Notice of Proposed Rule](#) begins on pg. 6211 of the register and the text of the proposed rule begins on pg. 6213.

QHP Filing Bulletin; Rate Filing Delay Request

The Council has again requested that the Department consider moving forward with issuing a QHP bulletin outlining form filing deadlines even though federal CMS has not yet finalized the Notice of Benefit and Payment Parameters and/or the 2021 Letter to Issuers. The DOI has indicated that they are now open to defining those filing requirements and deadlines ahead of any final CMS notice.

Additionally, the Department has indicated that they are not open to delaying the initial rate filing deadline of July 1, but they are willing to provide additional time to insurers to submit modified rates so as to allow for incorporation of COVID-19 experience.

New Deputy Director – Life & Annuity Products

Jeff Vargas has recently started as the new Deputy Director of Life & Annuity Products. Jeff came to the Department from Horace Mann where he served as a financial services consultant and an annuity specialist. Jeff will report up to Mike Chrysler, the Chief Deputy Director of Product Lines.

UPCOMING MEETINGS/IMPORTANT DATES:

May 18 – Virtual Fundraiser for Representative DeLuca (e-mail Susan at slist@ilhic.com to RSVP)

May 22 – Committee Deadline

May 31 – Scheduled Adjournment Date

June 8-10 – ILHIC Annual Meeting – Lake Geneva - POSTPONED

November 3, 2020 – General Election Day

DRAFT

IDPH Guidance for Preventing the Spread of COVID-19;

Illinois General Assembly Returning to Session

Mission and Purpose:

This document provides guidance from the Illinois Department of Public Health (IDPH) to the members of the General Assembly and legislative staff in response to the rapid spread of COVID-19 in Illinois. These recommendations will ensure the public health and safety of legislators, legislative staff and other support personnel.

Travel and Stay in Springfield:

- Members who either share a residence or a hotel room in Springfield, use individual hotel rooms in order to continue the practice of safe social distancing.
- Public transportation and ridesharing should be used for essential travel only. When possible, drive yourself.

Upon entry to the Illinois State Capitol:

- IDPH recommends that the Secretary of State (“SOS”) should have the Capitol Police screen all those entering the capitol for a temperature of 100F degrees or greater and/or other symptoms.
- SOS should have a robust sanitizing practice in the Capitol multiple times a day, with special attention to door handles, elevator buttons, and other frequently touched surfaces.
- SOS should maintain limiting the number of people into the State Capitol (only state employees directly supporting session, which means excluding lobbyist and the public).
- If a member is feeling ill, they should NOT travel to Springfield for session. While in Springfield if a legislator becomes ill or symptomatic, they should call their doctor, a nurse hotline, any telehealth hotline set up specifically for COVID-19 or an urgent care center. If they are experiencing symptoms, they should return home and follow the guidelines provided by their physician.
- If a member has a serious underlying medical condition they should NOT travel to Springfield for session.
- IDPH advises that members 65 years of age or older should consider NOT traveling to Springfield for session.
- The common areas that include the Rotunda, and the House and Senate galleries should remain closed to the public.
- Signs should be displayed around the state capitol reminding staff and legislators to wash their hands and practice social distancing (i.e. coughing or sneezing into elbow, and using hand sanitizer)

In- Person Floor Debates and Voting:

- IDPH recommends only requiring necessary staff in the chamber. Those would include the following: Chair, parliamentarian, clerk, member presenting the bill and one appointee from each caucus to ask questions, essential doormen and sergeant at arms, and essential staff support for substantive items.
- Only necessary members should be on the floor and voting, per the leader's agreement in advance and only enough to meet the minimum quorum requirements. Members should be arranged so they are six feet away from the next member. This may require having members occupy the gallery space.

In- Person Committee Hearings and Voting:

- IDPH recommends all meetings, such as committee pre-meetings, caucuses, and negotiation sessions for bills, should be conducted via phone or video conferencing system in advance.
- If committees are held, bills should be agreed upon prior to committee, to avoid unnecessary debate.
- Only necessary staff should be present.
- Consider only the minimum number of legislators necessary to establish a quorum (i.e. Chairman, Vice Chairman, Minority Spokesperson and limited designated members).
- If debate must take place, agree to vote the bill on a partisan roll call so that Chair and Minority Spokesperson of each committee can perform the business of their caucus.
- Only two larger committee rooms should be used so that members can be arranged six feet away from the next member.
- Only legislators should be there, witnesses who want to testify must do so by providing written testimony that can be read into the record (rather than in person).
- Members of the public can still engage with the democratic process by live streaming, engaging with their legislator by means of communication that include emails, telephone, and by filing an electronic witness slip.
- Capitol staff should stay in their workspaces as much as possible or continue to work remotely if possible. If Capitol staff need to report to work, staff's workspaces should be six feet away from each other.

Upon adjournment:

- IDPH recommends social distancing and isolation for at least seven days post legislative session.