

1 AN ACT in relation to insurance.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Health Maintenance Organization Act is  
5 amended by changing Section 4-10 as follows:

6 (215 ILCS 125/4-10) (from Ch. 111 1/2, par. 1409.3)

7 Sec. 4-10. ~~(a)~~ Medical necessity; dispute  
8 resolution-independent second opinion. A Each Health  
9 Maintenance Organization shall provide a mechanism for the  
10 timely review by a physician holding the same class of  
11 license as the primary care physician, who is unaffiliated  
12 with the Health Maintenance Organization, jointly selected by  
13 the patient (or the patient's next of kin or legal  
14 representative if the patient is unable to act for himself),  
15 primary care physician and the Health Maintenance  
16 Organization in the event of a dispute between the primary  
17 care physician and the Health Maintenance Organization  
18 regarding the medical necessity of a covered service proposed  
19 by a primary care physician. In the event that the reviewing  
20 physician determines the covered service to be medically  
21 necessary, the Health Maintenance Organization shall provide  
22 the covered service. Future contractual or employment action  
23 by the Health Maintenance Organization regarding the primary  
24 care physician shall not be based solely on the physician's  
25 participation in this procedure.

26 (Source: P.A. 85-20; 85-850.)