

1 AN ACT concerning insurance.

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

4 Section 5. The Illinois Insurance Code is amended by  
5 changing Section 356c as follows:

6 (215 ILCS 5/356c) (from Ch. 73, par. 968c)

7 Sec. 356c. Insurability of newborns.

8 (1) No policy of accident and health insurance providing  
9 coverage of hospital expenses or medical expenses or both on  
10 an expense incurred basis which in addition to covering the  
11 insured, also covers members of the insured's immediate  
12 family, shall contain any disclaimer, waiver or other  
13 limitation of coverage relative to the hospital or medical  
14 coverage or insurability of newborn infants from and after  
15 the moment of birth.

16 (2) Each such policy of accident and health insurance  
17 shall contain a provision stating that the accident and  
18 health insurance benefits applicable for children shall be  
19 granted immediately with respect to a newly born child from  
20 the moment of birth. The coverage for newly born children  
21 shall include coverage of illness, injury, congenital  
22 defects, birth abnormalities and premature birth.

23 (3) If payment of a specific premium is required to  
24 provide coverage for a child, the policy may require that  
25 notification of birth of a newly born child must be furnished  
26 to the insurer within 31 days after the date of birth in  
27 order to have the coverage continue beyond such 31 day period  
28 and may require payment of the appropriate premium.

29 (4) In the event that no other members of the insured's  
30 immediate family are covered, immediate coverage for the  
31 first newborn infant shall be provided if the insured applies

1 for dependent's coverage within 31 days of the newborn's  
2 birth. Such coverage shall be contingent upon payment of the  
3 additional premium.

4 (5) The requirements of this Section shall apply, on or  
5 after the sixtieth day following the effective date of this  
6 Section, (a) to all such non-group policies delivered or  
7 issued for delivery, and (b) to all such group policies  
8 delivered, issued for delivery, renewed or amended. The  
9 insurers of such non-group policies in effect on the sixtieth  
10 day following the effective date of this Section shall extend  
11 to owners of said policies, on or before the first policy  
12 anniversary following such date, the opportunity to apply for  
13 the addition to their policies of a provision as set forth in  
14 paragraph (2) above, with, at the option of the insurer,  
15 payment of a premium appropriate thereto.

16 (Source: P.A. 85-220.)