



Senate Floor Reports

Bills that passed the Senate May 25, 2018

School Withdrawal from Lyons Township (SB 452): The School Code is amended to allow Lyons Township High School to withdraw from the Township Trustees of Schools of Lyons Township and the township treasurer once there is a final judgment regarding claims in the case of Township Trustees of Schools v. Lyons Township High School District No. 204.

State Procurement/Vendor Scoring (SB 2365): Amends the Illinois Procurement Code. Adds a new scoring method for all contracts awarded under the Procurement Code. This would be the only scoring requirement mandated by statute. Requires that the scoring method used to evaluate a bid allocate 20 percent of the total available points to “each respondent’s commitment to diversity.” Requires documentation to support that business’s commitment diversity. Adds a provision exempting contracts from this requirement if it would result in the loss of federal-aid funds, grants, or loans. Adds language to the prohibition on renewal section that says the provisions do not apply to renewal of contracts for construction or construction-related services.

House bills that passed the Senate

Crestwood Property Sale (HB 128): Allows the Village of Crestwood to sell property formerly owned by the State Police. States that the requirement to maintain this parcel of land is waived due to the large cost of “rehabilitating the property and remediating environmental conditions” that will be incurred by the Village and that Crestwood may sell the property to a private purchaser as long as the State receives 50 percent of funds from the sale after deduction for the cost of preparing the land for sale.

Nursing Mothers Break (HB 1595): Requires employers to provide reason paid break time to nursing employees who need to express breast milk. Also requires the employer to provide reasonable break time for the employee.

Fire Pension “Act of Duty” (HB 1853): Creates the Psychology Interjurisdictional Compact Act. Allows the State of Illinois to enter into the Psychology Interjurisdictional Compact and sets forth the provisions of the Compact. Allows for telepsychological practice across state lines and temporary in-person services in which the psychologist is not licensed to practice psychology. Facilitates the exchange of information between Compact States regarding psychologist licensure, adverse actions, and disciplinary history.

Transportation of IEP Students (HB 2040): Adds Soaring Eagle Academy in Lombard to the list of special education facilities that can transport students with Individualized Education Plans (IEP) to curriculum-related activities as part of their IEP through the use of multi-function school activity buses.

Crime Victims Compensation (HB 2063): Allows for a victim of human trafficking to bring a civil action against their trafficker. The suit must be brought within 10 years after the later of the (1) final order in the related case, (2) the victim’s emancipation from the defendant or (3) the victim’s 18th birthday.

Short-Term, Limited-Duration Health Insurance Coverage (HB 2624): Limits short-term, limited-duration health insurance coverage (STLD) to 90 days and prohibits renewals of a STLD policy for 12 months, beginning the day after the contract ends. As well as, provides any health insurance company issuing short-term, limited-duration health insurance coverage must first receive approval from the Department of Insurance before issuing any short-term, limited-duration coverage policy. Furthermore, delivers that the issuer must include in the contract and any associated materials, a statement explaining the short-term, limited-duration coverage is temporary, the coverage may not cover all the health care needed by the individual, and could leave the individual with high medical bills.



Senate Floor Reports

Non-Judicial Foreclosure (HB 2723): Amends the Conveyances Act. Inserts the non-judicial foreclosure provisions of the Timeshare Act that was repealed in its entirety by P.A. 100-534. Provides definitions that were previously included in the now repealed Timeshare Act. Defines “Timeshare instrument,” “Timeshare interest,” “Timeshare period,” “Timeshare plan,” and “Timeshare property.”

MCO Drug Formulary (HB 4146): Amends the Managed Care Reform and Patient Rights Act. Provides that during an enrollee’s plan year, an MCO is prohibited from removing a drug from its formulary or negatively change its preferred or cost tier sharing unless the plan does the following at least 60 days prior: Provides general notification of the change to enrollees; Directly notifies enrollees currently receiving coverage for the drug along with information on how they may qualify for an exception such as a statement of medical necessity from the provider which results in continued coverage of the drug. Directly notifies by first class mail and email prescribing providers of all enrollees currently prescribed the drug affected by the change. The notice must include a form (or a link to an online form) to be used by the provider to inform the plan the drug is medically necessary.

Requires the plan to continue coverage of the drug if a provider indicates in writing or electronically that the drug is a medical necessity for the enrollee and prohibits the plan from making the following modifications to the drug: Increasing out of pocket costs for the covered drug; moving prescription drug to a more restrictive tier; or denying an enrollee coverage of the drug for which the enrollee has been previously approved for coverage by the plan.

Ensures that a plan is authorized to remove a drug from the formulary if the FDA has issued a statement regarding the safety of the drug.

Ensures that a pharmacist is authorized to substitute generic equivalents.

Provides that these provisions apply to contracts issues or renewed on or after Jan. 1, 2019. These provisions do not apply to Medicaid or the State Employees Group Insurance.

Claim Adjudication (HB 4324): Amends the Wage Payment and Collection Act to require the Illinois Department of Labor to adjudicate claims within 30 days unless otherwise agreed. Requires IDOL to require no more than 10 percent of the disputed amount from the employer to be placed in an escrow account administered by IDOL during the investigation of a claim. Additionally, increases administrative fees to the Department; and allows IDOL or the Court to place a judgment lien on the employer’s property in cases where the employer fails to seek timely review and fails to pay disputed amount. Eliminates the provision specifying IDOL can’t hold the disputed money in the escrow account for no longer than 45 days.

Brewer Warehouse Permits (HB 4897): Amends the Liquor Control Act of 1934 and creates the brewer warehouse permit for holders of class 1 or class 2 brewer licenses. Class 1 brewer licensees with a brewer warehouse permit can store or warehouse up to 930,000 gallons of tax-determined beer manufactured by the holder of the permit at the premise specified on the permit. Class 2 brewer licensees with a brewer warehouse permit can store or warehouse up to 3,720,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the brewer warehouse permit.

Eliminates Chicago Exemption from Foreign Fire Insurance Board (HB 5197): Requires the City of Chicago to create a Foreign Fire Insurance Board. The Board would be responsible for managing the Foreign Fire Insurance Fund and appropriating of the funds for the benefit of the fire department. Use of funds and other operational parameters are specified.

Hospitals and Pediatric Health Care Facilities for Pediatric Sexual Assault Care (HB 5245): Adds various provisions concerning requirements for hospitals and pediatric health care facilities in relation to pediatric sexual assault care. Requires hospital licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act that provides general medical and surgical hospital services to provide either transfer services to all sexual assault survivors,



Senate Floor Reports

medical forensic services to all sexual assault survivors, or transfer services to pediatric sexual assault survivors and medical forensic services to sexual assault survivors ages 13 years or older.

Crime Victim Rights (HB 5573): Amends the Juvenile Court Act of 1987 by adding language regarding victim's rights found in the Rights of Crime Victims and Witnesses Act to avoid references to multiple statutes in juvenile delinquency proceedings. Additionally, offers that the provisions which allow a crime victim to make a written and oral statement do not apply to certain mental health hearings or proceedings after acquittal by reason of insanity if cases where the defendant was younger than 18 years of age at the time the offense was committed.

Emergency Vehicle Sirens (HB 5632): Requires that in Chicago an ambulance or rescue vehicle must operate a siren and lamp or lamps only when it is reasonably necessary to warn pedestrians and other drivers of the approach thereof while responding to an emergency call or transporting a patient who presents in a need for immediate medical intervention. Also requires the Secretary of State to include information on the "Dutch Reach" method in their Rules of the Road publication. Also requires the Secretary of State to include questions concerning safe driving in the presence of bicycles in their question pool for the written portion of the driver's license examination.

Quincy Veterans Home (HB 5683): Provides that if the Department of Veterans' Affairs purchases a nursing home in the city of Quincy for the purpose of housing veterans, then that housing will fall under the purview of the Department.

Mental Health Services (HB 5770): Requires school boards to notify district students and their parents/guardians that a student with a mental health diagnosis may be eligible to receive supportive health services from the school under a federal 504 plan.

IDVA Homes Report (HB 5784): Requires that the Illinois Department of Veterans' Affairs submit a quarterly report to the General Assembly on January 1 and July 1 each year about the health

and welfare of residents at the Veterans' Homes. The report shall include: the number and nature of complaints made by residents or their next of kin; information on any epidemic reported at a Veterans Home; and the number and information on cases of communicable diseases.