

215 ILCS 5/367k Emergency/Under the Influence

Section 5. The Illinois Insurance Code is amended by changing Section 357.14 and by adding Section 367k as follows:

215 ILCS 5/357.14 Emergency/Under the Influence

Sec. 357.14. Except as provided in section 357.26, no such policy delivered or issued for delivery to any person in this State shall contain provisions respecting the matters set forth in sections 357.15 through ~~357.24~~ ~~357.25~~ unless such provisions are in the words in which the same appear in this article; provided, however, that the company may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the Director which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in the following sections or, at the option of the company, by such appropriate individual or group captions or subcaptions as the Director may approve.

(Source: Laws 1967, p. 1735.)

Sec. 367k. Intoxication and narcotics; exclusion of coverage prohibited.

(a) A group or individual major medical policy of accident or health insurance or managed care plan amended, delivered, issued, or renewed after January 1, 2008 shall not, solely on the basis of the insured being intoxicated or under the influence of a narcotic, exclude coverage for any emergency or other medical, hospital, or surgical expenses incurred by an insured as a result of and related to an injury acquired while the insured is intoxicated or under the influence of any narcotic, regardless of whether the intoxicant or narcotic is administered on the advice of a health care practitioner.

(b) Coverage required under this Section may be subject to deductibles, copayments, coinsurance, or annual or maximum payment limits that are consistent with deductibles, copayments, coinsurance, or annual or maximum payment limits applicable to other similar coverage under the plan.

Section 10. The Illinois Insurance Code is amended by repealing Section 357.25.
(Source: P.A. 95-230, eff. 1-1-08)