



2022 Legislative Report

Update on ISMS Legislative Activity
in the Illinois General Assembly

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June 25, 2022

Dear Colleague,

In one of the shortest, yet busiest legislative sessions in memory, the Illinois General Assembly adjourned early on Saturday, April 9, 2022, with the Senate adjourning at 3:00 a.m. and the House following at 6:00 a.m. This concluded a 20-hour day in which both chambers addressed the most controversial legislation introduced this session. In addition to passing a budget, legislators approved legislation aimed at providing residents relief from inflation and property taxes; cracking down on crimes, including carjacking and smash-and-grabs at retail stores; authorizing more expressway cameras; reforming the hospital assessment; reforming nursing home rates; banning “ghost guns”; and establishing a multi-year safe gun storage campaign.

In addition, ISMS was successful in helping shepherd through rules to **fully implement and enforce the Network Adequacy and Transparency Act** passed in 2017.

Equally important are the bills that ISMS successfully pushed back on, such as bills expanding other health care professionals’ **scope of practice** and bills that would establish **onerous mandates** on physicians.

ISMS’ work to effectuate positive changes for our practices and our patients continues as we prepare for the fall veto session and the 2023 spring legislative session.

On behalf of the Board of Trustees, I would like to thank every physician member who makes ISMS’ advocacy efforts possible.

Sincerely,

Clarence W. Brown Jr., M.D., J.D.
President, Illinois State Medical Society

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ETHICS/CAMPAIGN FINANCE REFORM

In terms of ethics reform and judicial campaigns, the legislature approved a measure (House Bill 716) that changes how the campaigns of state Supreme Court justices are financed. First, the bill creates a task force to study the feasibility of implementing public financing of campaigns.

The bill also caps contributions from individuals if a judicial candidate is self-funded. Currently, there is a \$6,000 limit on donations from individuals, though if a candidate gives his or her own campaign more than \$100,000, then contribution limits from individuals are lifted. The bill changes that, capping donations from individuals in these judicial races at \$500,000.

The \$500,000 limit is also extended to independent expenditure committees seeking to make contributions to judicial candidates. Currently, these organizations have no restrictions on their contributions. Governor Pritzker signed the bill into law (Public Act 102-0909), which has an immediate effective date, so it will affect this year's elections.

HEALTH INSURANCE REFORM

Coverage for Victims of Domestic Violence – House Bill 4337 (Rep. Cassidy), ISMS legislation, would require insurance coverage for treatment of physical and mental trauma for victims of domestic violence. The bill did not advance due to opposition from the insurance industry.

Network Adequacy and Transparency – During calendar year 2021, Springfield Clinic and Blue Cross Blue Shield (BCBS) began negotiations regarding the continued utilization of Springfield Clinic's physician network by BCBS, with the hope of an agreement prior to the 2022 coverage year commencing. Negotiations became very contentious and public as BCBS made it very clear that Springfield Clinic must accept its payment demands to continue being served by the BCBS network. Springfield Clinic was being forced to accept thousands of additional patients without any type of rate increase or reconciliation. By the time employer benefit choice periods began last fall, BCBS decided to drop Springfield Clinic from its central Illinois networks leaving over 100,000 area patients without access to their usual network of physicians and care providers. Further, it was later determined that BCBS did not follow through on proper notification procedures to inform the Illinois Department of Insurance (DOI) that it had dropped Springfield Clinic, causing a great disruption in care. Horror stories of patients not being able to access critical care or being charged high co-pays to continue care gained media attention that has caused a grassroots campaign seeking to bring BCBS back to the table.

In March, DOI determined that BCBS did not adequately adhere to Illinois' Network Adequacy and Transparency Act, which passed and was signed into law in 2017. This important patient protection initiative was championed by ISMS. ISMS has pushed hard for the enforcement of the Network Adequacy and Transparency Act by DOI for the last five years. Enforcement rules were finally issued while the impasse between Springfield Clinic and BCBS continued. Representative Sue Scherer (D-Decatur) filed House Bill 5729 to add further restrictions and mandates on the Network Adequacy and Transparency Act in response to the ongoing network contract negotiations between BCBS and the physicians in Springfield Clinic. The bill would require insurers to audit their entire provider directory every 90 days, mandate specific information on

