Illinois Department of Insurance

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Director

TO: All Health Insurance Issuers Writing Accident and Health Insurance, Health Maintenance Organization Health Care Plans, Limited Health Care Plans, and Voluntary Health Services Plans

FROM: Ann Gillespie, Director AG

DATE: September 19, 2025

RE: Company Bulletin 2025-16 – Filings Using the Standard Drug Formulary Template

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The Illinois Department of Insurance ("Department") issues this bulletin to set forth the guidance related to the required initial submission and public posting requirements of all drug formularies described in 215 ILCS 5/155.37 of the Illinois Insurance Code ("Code") and further implemented by 50 Ill. Adm. Code Part 2030.

Issuers offering a "health product" as defined at 50 Ill. Adm. Code 2030.30 are hereby instructed to submit the required filings to the Department via Systems for Electronic Rates & Forms Filing (SERFF) as referenced in the regulation above using the following TOI/Sub-TOI categories:

- Filing Type: Report
- TOI: Public Drug Formulary
- Sub-TOI: Public Drug Formulary

Please note that two distinct filings are due by October 1, 2025:

1. "All drug formularies for health products in which the issuer has enrolled a covered individual." 50 Ill. Adm. Code 2030.50(a). This filing requirement applies to all health products described in 50 Ill. Adm. Code 2030.20, including most types of excepted benefits if the health product actually uses a formulary. The filing requirement applies regardless of whether the health product is issued to an individual or group policyholder, including blanket and discretionary groups and student health insurance coverage. Formularies must be filed regardless of whether the product is a grandfathered health plan, but the required contents differ as described in the 50 Ill. Adm. Code 2030.40(a)(11)(B). Because of the enrollment criterion, this filing is only for health products that are in force on October 1, 2025.

2. "For health products subject to Section 87(f) of the Managed Care Reform and Patient Rights Act, by October 1, 2025, a health insurance issuer also must file all drug formularies that the issuer intends to use for all health products for which the issuer has filed its policy forms

with the Department that will have a plan year or policy year beginning in 2026, even if the health product has no enrolled covered individuals on the filing date." 50 Ill. Adm. Code 2030.50(b). This filing does not apply to a drug formulary unless the health product is subject to 215 ILCS 134/87(f).

After October 1, 2025, issuers generally will not need to submit this type of filing unless both 1) the issuer had no applicable health products to file on October 1, 2025, but then 2) the issuer later creates at least one health product with a drug formulary under which a covered individual actually enrolls. *See* 50 Ill. Adm. Code 2030.50(c). In that event, the issuer must file all drug formularies for all health products by the first day of the first plan year, policy year, or other policy period in which at least one of those health products has enrolled a covered individual. Otherwise, the scope of health products subject to the filing is the same as in 50 Ill. Adm. Code 2030.50(a). This filing is generally intended to capture issuers that newly enter the Illinois market, return to the Illinois market after a withdrawal, or newly expand their Illinois market offerings to include health products that use drug formularies.

Nothing here relieves any issuer from any separate formulary filing requirements established under statutes or regulations outside of 215 ILCS 5/155.37 and 50 Ill. Adm. Code 2030, including, but not limited to, Exchange certification filings.

The Department requests that, in the supporting documentation section within the corresponding filing within SERFF, issuers also provide the specific link(s) to the public webpage(s) where the formulary information is or will be posted. This guidance shall remain in effect for plan years beyond Plan Year 2026 unless otherwise amended by the Department.

Issuers are further reminded of their obligation to post the applicable formularies on their public website in a manner that is "searchable and accessible" and does not require any individual to create an account to access the corresponding standard drug formulary information. The Department also encourages issuers to place the required formulary information in an easily accessible, clear, noticeable location to ensure public transparency of formulary designs.

Please direct questions regarding this Bulletin to DOI.InfoDesk@illinois.gov.