

Illinois Insurance Claims Fraud Prevention Act

As amended by P.A. 100-358.

740 ILCS 92/1 et seq.

§ 740 ILCS 92/1 Short title

This Act may be cited as the Insurance Claims Fraud Prevention Act.

§ 740 ILCS 92/5 Patient and client procurement

(a) Except as otherwise permitted or authorized by law, it is unlawful to knowingly offer or pay any remuneration, directly or indirectly, in cash or in kind, to induce any person to procure the clients or patients for the services or benefits under a policy of insurance issued by this insurer.





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§ 740 ILCS 92/10 Ac

§ 740 ILCS 92/20 Role of State's Attorney or Attorney General

- (a) If the State's Attorney or Attorney General proceeds with the action, he or she shall have the primary responsibility for prosecuting the action, and shall be bound by an act of the person bringing the action. That person shall have right to continue as a party to the action, subject to the limitations set forth in subsection (b).
- (b) The State's Attorney or Attorney General may dismiss the action notwithstanding the objections of the person initiating the action if the person has been notified by the State's Attorney or Attorney General of the filing of the motion, and the court has provided the person with an opportunity for a hearing on the motion.
 - (1) limiting the number of witnesses the person may call;
 - (2) limiting the length of the testimony of those witnesses;
 - (3) limiting the person's cross-examination of witnesses; and
 - (4) otherwise limiting the participation by the person in the litigation.

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The State's Attorney or Attorney General may settle the action with the person notwithstanding the objections of the person initiating the action, if the court determines, after a hearing, that the proposed settlement is equitable, in the best interests of the public, and in the circumstances. Upon a finding of good cause, the hearing may be held in camera.

Upon a finding by the State's Attorney or Attorney General that the person's participation during the



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- (d) If at any time both a civil action for penalties and equitable relief pursuant to this Act and a criminal action are pending against a defendant for substantially the same conduct, whether brought by the government or a private party, the civil action shall be stayed until the criminal action has been concluded at the trial court level. The stay shall not preclude the court from granting or enforcing temporary equitable relief while the action is pending.

‡ HB 1000



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attorney's fees and expenses if the defendant prevails in the action and the court finds that the claim of the person bringing the action was clearly frivolous, clearly vexatious, or brought primarily for purposes of harassment.

§ 740 ILCS 92/30 Limitation on bringing actions

- (a) In no event may a person bring an action under Section 15 that is based upon allegations or transactions that are the subject of a civil suit or an administrative civil money penalty proceeding ~~in the State's Attm~~

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