

1 AN ACT in relation to public aid.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.12 as follows:

6 (305 ILCS 5/5-5.12) (from Ch. 23, par. 5-5.12)

7 Sec. 5-5.12. Pharmacy payments.

8 (a) Every request submitted by a pharmacy for
9 reimbursement under this Article for prescription drugs
10 provided to a recipient of aid under this Article shall
11 include the name of the prescriber or an acceptable
12 identification number as established by the Department.

13 (b) Pharmacies providing prescription drugs under this
14 Article shall be reimbursed at a rate which shall include a
15 professional dispensing fee as determined by the Illinois
16 Department, plus the current acquisition cost of the
17 prescription drug dispensed. The Illinois Department shall
18 update its information on the acquisition costs of all
19 prescription drugs no less frequently than every 30 days.
20 However, the Illinois Department may set the rate of
21 reimbursement for the acquisition cost, by rule, at a
22 percentage of the current average wholesale acquisition cost.

23 (c) Reimbursement under this Article for prescription
24 drugs shall be limited to reimbursement for 4 brand-name
25 prescription drugs per patient per month. This subsection
26 applies only if (i) the brand-name drug was not prescribed
27 for an acute or urgent condition, (ii) the brand-name drug
28 was not prescribed for Alzheimer's disease, arthritis,
29 diabetes, HIV/AIDS, a mental health condition, or respiratory
30 disease, and (iii) a therapeutically equivalent generic
31 medication has been approved by the federal Food and Drug

1 Administration.

2 (d) The Department shall not impose requirements for
3 prior approval based on a preferred drug list for
4 anti-retroviral, anti-hemophilic factor concentrates, or any
5 atypical antipsychotics, conventional antipsychotics, or
6 anticonvulsants used for the treatment of serious mental
7 illnesses until 30 days after it has conducted a study of the
8 impact of such requirements on patient care and submitted a
9 report to the Speaker of the House of Representatives and the
10 President of the Senate.

11 (Source: P.A. 92-597, eff. 6-28-02; 92-825, eff. 8-21-02;
12 revised 9-19-02.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.