

1 AN ACT in relation to aging.

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

4 Section 5. The Senior Citizens and Disabled Persons
5 Property Tax Relief and Pharmaceutical Assistance Act is
6 amended by changing Section 6 as follows:

7 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

8 Sec. 6. Administration.

9 (a) In general. Upon receipt of a timely filed claim,
10 the Department shall determine whether the claimant is a
11 person entitled to a grant under this Act and the amount of
12 grant to which he or she is entitled under this Act. The
13 Department may require the claimant to furnish reasonable
14 proof of the statements of domicile, household income, rent
15 paid, property taxes accrued and other matters on which
16 entitlement is based, and may withhold payment of a grant
17 until such additional proof is furnished.

18 (b) Rental determination. If the Department finds that
19 the gross rent used in the computation by a claimant of rent
20 constituting property taxes accrued exceeds the fair rental
21 value for the right to occupy that residence, the Department
22 may determine the fair rental value for that residence and
23 recompute rent constituting property taxes accrued
24 accordingly.

25 (c) Fraudulent claims. The Department shall deny claims
26 which have been fraudulently prepared or when it finds that
27 the claimant has acquired title to his residence or has paid
28 rent for his residence primarily for the purpose of receiving
29 a grant under this Act.

30 (d) Pharmaceutical Assistance. The Department shall
31 allow all pharmacies licensed under the Pharmacy Practice Act

1 of 1987 to participate as authorized pharmacies unless they
2 have been removed from that status for cause pursuant to the
3 terms of this Section. The Director of the Department may
4 enter into a written contract with any State agency,
5 instrumentality or political subdivision, or a fiscal
6 intermediary for the purpose of making payments to authorized
7 pharmacies for covered prescription drugs and coordinating
8 the program of pharmaceutical assistance established by this
9 Act with other programs that provide payment for covered
10 prescription drugs. Such agreement shall establish
11 procedures for properly contracting for pharmacy services,
12 validating reimbursement claims, validating compliance of
13 dispensing pharmacists with the contracts for participation
14 required under this Section, validating the reasonable costs
15 of covered prescription drugs, and otherwise providing for
16 the effective administration of this Act.

17 The Department shall promulgate rules and regulations to
18 implement and administer the program of pharmaceutical
19 assistance required by this Act, which shall include the
20 following:

21 (1) Execution of contracts with pharmacies to
22 dispense covered prescription drugs. Such contracts shall
23 stipulate terms and conditions for authorized pharmacies
24 participation and the rights of the State to terminate
25 such participation for breach of such contract or for
26 violation of this Act or related rules and regulations of
27 the Department;

28 (2) Establishment of maximum limits on the size of
29 prescriptions, new or refilled, which shall be in amounts
30 sufficient for 34 days, except as otherwise specified by
31 rule for medical or utilization control reasons;

32 (3) Establishment of liens upon any and all causes
33 of action which accrue to a beneficiary as a result of
34 injuries for which covered prescription drugs are

1 directly or indirectly required and for which the
2 Director made payment or became liable for under this
3 Act;

4 (4) Charge or collection of payments from third
5 parties or private plans of assistance, or from other
6 programs of public assistance for any claim that is
7 properly chargeable under the assignment of benefits
8 executed by beneficiaries as a requirement of eligibility
9 for the pharmaceutical assistance identification card
10 under this Act;

11 (5) Inspection of appropriate records and audit of
12 participating authorized pharmacies to ensure contract
13 compliance, and to determine any fraudulent transactions
14 or practices under this Act;

15 (6) Annual determination of the reasonable costs of
16 covered prescription drugs for which payments are made
17 under this Act, as provided in Section 3.16;

18 (7) Payment to pharmacies under this Act in
19 accordance with the State Prompt Payment Act.

20 The Department shall annually report to the Governor and
21 the General Assembly by March 1st of each year on the
22 administration of pharmaceutical assistance under this Act.
23 By the effective date of this Act the Department shall
24 determine the reasonable costs of covered prescription drugs
25 in accordance with Section 3.16 of this Act.

26 (Source: P.A. 91-357, eff. 7-29-99; 92-651, eff. 7-11-02.)