



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB5446

Introduced 01/27/06, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

215 ILCS 125/2-3.1

from Ch. 111 1/2, par. 1405.1

Amends the Health Maintenance Organization Act. Makes a technical change in a Section concerning drug products.

LRB094 17630 LJB 52928 b

1 AN ACT concerning regulation.

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

4 Section 5. The Health Maintenance Organization Act is
5 amended by changing Section 2-3.1 as follows:

6 (215 ILCS 125/2-3.1) (from Ch. 111 1/2, par. 1405.1)

7 Sec. 2-3.1. (a) No health maintenance organization shall
8 cause to be dispensed any drug other than that ~~that~~ prescribed
9 by a physician. Nothing herein shall prohibit drug product
10 selection under Section 3.14 of the "Illinois Food, Drug and
11 Cosmetic Act", approved June 29, 1967, as amended, and in
12 accordance with the requirements of Section 25 of the "Pharmacy
13 Practice Act of 1987", approved September 24, 1987, as amended.

14 (b) No health maintenance organization shall include in any
15 contract with any physician providing for health care services
16 any provision requiring such physician to prescribe any
17 particular drug product to any enrollee unless the enrollee is
18 a hospital in-patient where such drug product may be permitted
19 pursuant to written guidelines or procedures previously
20 established by a pharmaceutical or therapeutics committee of a
21 hospital, approved by the medical staff of such hospital and
22 specifically approved, in writing, by the prescribing
23 physician for his or her patients in such hospital, and unless
24 it is compounded, dispensed or sold by a pharmacy located in a
25 hospital, as defined in Section 3 of the Hospital Licensing Act
26 or a hospital organized under "An Act in relation to the
27 founding and operation of the University of Illinois Hospital
28 and the conduct of University of Illinois health care
29 programs", approved July 3, 1931, as amended.

30 (Source: P.A. 85-1246.)