



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB1286

by Rep. Naomi D. Jakobsson - Daniel V. Beiser

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Seniors and Disabled Persons Pharmaceutical Assistance Relief Program Act. Provides that it is the purpose of the Act to ensure that the State's senior and disabled populations have access to affordable prescription drugs. Requires the Department of Healthcare and Family Services, beginning July 1, 2013, to establish and administer a Seniors and Disabled Persons Pharmaceutical Assistance Relief Program with the cooperation of local area agencies on aging. Contains provisions concerning eligibility standards; application standards; and rulemaking. Effective July 1, 2013.

LRB098 06405 KTG 36447 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 1. Short title. This Act may be cited as the  
5 Seniors and Disabled Persons Pharmaceutical Assistance Relief  
6 Program Act.

7 Section 5. Purpose. It is the purpose of this Act to ensure  
8 that the State's senior and disabled populations have access to  
9 affordable prescription drugs.

10 Section 7. Definition. As used in this Act, "disabled  
11 person" means a person under the age of 65 who is unable to  
12 engage in any substantial gainful activity by reason of a  
13 medically determinable physical or mental impairment which can  
14 be expected to result in death or has lasted or can be expected  
15 to last for a continuous period of not less than 12 months. A  
16 disabled person applying for benefits under this Act shall  
17 submit proof of disability in such form and manner as the  
18 Department shall by rule and regulation prescribe. Proof that  
19 an applicant is eligible to receive disability benefits under  
20 the federal Social Security Act shall constitute proof of  
21 disability for purposes of this Act. Issuance of an Illinois  
22 Disabled Person Identification Card stating that the applicant

1 is under a Class 2 disability, as defined in Section 4A of the  
2 Illinois Identification Card Act, shall constitute proof that  
3 the person named thereon is a disabled person for purposes of  
4 this Act. A disabled person not covered under the federal  
5 Social Security Act and not presenting an Illinois Disabled  
6 Person Identification Card stating that the applicant is under  
7 a Class 2 disability shall be examined by a physician  
8 designated by the Department, and his or her status as a  
9 disabled person determined using the same standards as used by  
10 the Social Security Administration. The costs of any required  
11 examination shall be borne by the applicant.

12 Section 10. Creation of program. Beginning July 1, 2013,  
13 the Department of Healthcare and Family Services shall  
14 establish and administer a pharmacy assistance program  
15 entitled the Seniors and Disabled Persons Pharmaceutical  
16 Assistance Relief Program. Local area agencies on aging shall  
17 cooperate with the Department in this endeavor.

18 Section 15. Eligibility. To become a beneficiary under the  
19 Program established under this Act, a person must:

- 20 (1) Be 65 years of age or older, or a disabled person.
- 21 (2) Be domiciled in this State.
- 22 (3) Have income at or below 200% of the Federal Poverty  
23 Level.
- 24 (4) Apply for federal Extra Help (Low-Income Subsidy)

1 under Medicare Part D.

2 (5) Have maximum household assets of \$13,070 if single,  
3 or \$26,120 if married.

4 Future asset limitations established by the Department  
5 under the Program shall be updated, if necessary, to match the  
6 asset limitations set under the federal Extra Help (Low-Income  
7 Subsidy) program.

8 Section 20. Applications for Program benefits. An  
9 application for benefits under the Program shall be submitted  
10 electronically to the local area agency on aging. Applications  
11 must be filed during the time period prescribed by the  
12 Department.

13 Section 25. Rules. The Department may adopt rules regarding  
14 applications, counting of income, and the type of prescription  
15 drugs covered, and any other rules necessary for the  
16 cost-efficient operation of the Program established under this  
17 Act.

18 Section 99. Effective date. This Act takes effect July 1,  
19 2013.