

HB2537



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2537

by Rep. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.1

from Ch. 23, par. 5-4.1

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that the total amount in co-payments a recipient shall be required to pay per month for his or her prescription medications shall not exceed \$5. Effective immediately.

LRB098 04245 KTG 34270 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 5. The Illinois Public Aid Code is amended by
5 changing Section 5-4.1 as follows:

6 (305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

7 Sec. 5-4.1. Co-payments. The Department may by rule provide
8 that recipients under any Article of this Code shall pay a fee
9 as a co-payment for services. Co-payments shall be maximized to
10 the extent permitted by federal law, except that the Department
11 shall impose a co-pay of \$2 on generic drugs. Provided,
12 however, that any such rule must provide that no co-payment
13 requirement can exist for renal dialysis, radiation therapy,
14 cancer chemotherapy, or insulin, and other products necessary
15 on a recurring basis, the absence of which would be life
16 threatening, or where co-payment expenditures for required
17 services and/or medications for chronic diseases that the
18 Illinois Department shall by rule designate shall cause an
19 extensive financial burden on the recipient, and provided no
20 co-payment shall exist for emergency room encounters which are
21 for medical emergencies. The total amount in co-payments a
22 recipient shall be required to pay per month for his or her
23 prescription medications shall not exceed \$5. The Department

1 shall seek approval of a State plan amendment that allows
2 pharmacies to refuse to dispense drugs in circumstances where
3 the recipient does not pay the required co-payment. Co-payments
4 may not exceed \$10 for emergency room use for a non-emergency
5 situation as defined by the Department by rule and subject to
6 federal approval.

7 (Source: P.A. 96-1501, eff. 1-25-11; 97-74, eff. 6-30-11;
8 97-689, eff. 6-14-12.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.