

1 AN ACT in relation to senior citizens and disabled
2 persons.

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

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

8 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

9 Sec. 6. Administration.

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

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

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

31 (d) Pharmaceutical Assistance. The Department shall

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

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

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

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

33 (3) Establishment of liens upon any and all causes
34 of action which accrue to a beneficiary as a result of

1 injuries for which covered prescription drugs are
2 directly or indirectly required and for which the
3 Director made payment or became liable for under this
4 Act;

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

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

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

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

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

27 (Source: P.A. 91-357, eff. 7-29-99; revised 12-07-01.)