



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4953

by Rep. Martha Deuter

#### SYNOPSIS AS INTRODUCED:

225 ILCS 120/56

Amends the Wholesale Drug Distribution Licensing Act. In provisions concerning restrictions on transactions, provides that prescription drugs furnished by a manufacturer or wholesale distributor licensed under the Act may be delivered only to the business address of a licensee registered with the Department of Financial and Professional Regulation, to the premises listed on a license, or, if the Department has received notice that the licensee has authorized a health care entity to receive the prescription drugs, to the address of a health care entity (instead of only to the premises listed on the license). Provides that "health care entity" means an entity where medical, dental, or veterinary services are provided by a licensed practitioner and where the licensed practitioner is responsible for the receipt, storage, and use of drugs.

LRB104 19403 AAS 32851 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 Wholesale Drug Distribution Licensing Act  
5 is amended by changing Section 56 as follows:

6 (225 ILCS 120/56)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 56. Restrictions on transactions.

9 (a) A licensee shall receive prescription drug returns or  
10 exchanges from a pharmacy or other persons authorized to  
11 administer or dispense drugs or a chain pharmacy warehouse  
12 pursuant to the terms and conditions of the agreement between  
13 the wholesale distributor and the pharmacy or chain pharmacy  
14 warehouse. Returns of expired, damaged, recalled, or otherwise  
15 non-saleable pharmaceutical products shall be distributed by  
16 the receiving wholesale distributor only to either the  
17 original manufacturer or a third party returns processor.  
18 Returns or exchanges of prescription drugs, saleable or  
19 otherwise, including any redistribution by a receiving  
20 wholesaler, shall not be subject to the pedigree requirements  
21 of Section 57 of this Act, so long as they are exempt from the  
22 pedigree requirement of the FDA's currently applicable  
23 Prescription Drug Marketing Act guidance. Both licensees under

1 this Act and pharmacies or other persons authorized to  
2 administer or dispense drugs shall be accountable for  
3 administering their returns process and ensuring that the  
4 aspects of this operation are secure and do not permit the  
5 entry of adulterated and counterfeit product.

6 (b) A manufacturer or wholesale distributor licensed under  
7 this Act may furnish prescription drugs only to a person  
8 licensed by the appropriate state licensing authorities.  
9 Before furnishing prescription drugs to a person not known to  
10 the manufacturer or wholesale distributor, the manufacturer or  
11 wholesale distributor must affirmatively verify that the  
12 person is legally authorized to receive the prescription drugs  
13 by contacting the appropriate state licensing authorities.

14 (c) Prescription drugs furnished by a manufacturer or  
15 wholesale distributor licensed under this Act may be delivered  
16 only to the business address of a licensee, to the premises  
17 listed on a ~~the~~ license, or, if the Department has received  
18 notice that a licensee has authorized a health care entity to  
19 receive the prescription drugs, to the address of a health  
20 care entity, provided that the manufacturer or wholesale  
21 distributor may furnish prescription drugs to an authorized  
22 person or agent of that person at the premises of the  
23 manufacturer or wholesale distributor if:

24 (1) the identity and authorization of the recipient is  
25 properly established; and

26 (2) this method of receipt is employed only to meet

1 the immediate needs of a particular patient of the  
2 authorized person.

3 For the purposes of this subsection (c), "health care  
4 entity" means an entity where medical, dental, or veterinary  
5 services are provided by a licensed practitioner and where the  
6 licensed practitioner is responsible for the receipt, storage,  
7 and use of drugs.

8 (d) Prescription drugs may be furnished to a hospital  
9 pharmacy receiving area, provided that a pharmacist or  
10 authorized receiving personnel signs, at the time of delivery,  
11 a receipt showing the type and quantity of the prescription  
12 drug received. Any discrepancy between the receipt and the  
13 type and quantity of the prescription drug actually received  
14 shall be reported to the delivering manufacturer or wholesale  
15 distributor by the next business day after the delivery to the  
16 pharmacy receiving area.

17 (e) A manufacturer or wholesale distributor licensed under  
18 this Act may not accept payment for, or allow the use of, a  
19 person or entity's credit to establish an account for the  
20 purchase of prescription drugs from any person other than the  
21 owner of record, the chief executive officer, or the chief  
22 financial officer listed on the license of a person or entity  
23 legally authorized to receive the prescription drugs. Any  
24 account established for the purchase of prescription drugs  
25 must bear the name of the licensee. This subsection (e) shall  
26 not be construed to prohibit a pharmacy or chain pharmacy

1 warehouse from receiving prescription drugs if payment for the  
2 prescription drugs is processed through the pharmacy's or  
3 chain pharmacy warehouse's contractual drug manufacturer or  
4 wholesale distributor.

5 (Source: P.A. 95-689, eff. 10-29-07.)