



Rep. Michelle Mussman

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1 AMENDMENT TO HOUSE BILL 274

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 274 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Employees Group Insurance Act of 1971  
5 is amended by changing Section 6.11 as follows:

6 (5 ILCS 375/6.11)

7 Sec. 6.11. Required health benefits; Illinois Insurance  
8 Code requirements. The program of health benefits shall provide  
9 the post-mastectomy care benefits required to be covered by a  
10 policy of accident and health insurance under Section 356t of  
11 the Illinois Insurance Code. The program of health benefits  
12 shall provide the coverage required under Sections 356g,  
13 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4,  
14 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,  
15 356z.14, 356z.15, 356z.17, 356z.22, ~~and~~ 356z.25, 356z.26, and  
16 356z.29 of the Illinois Insurance Code. The program of health

1 benefits must comply with Sections 155.22a, 155.37, 355b,  
2 356z.19, 370c, and 370c.1 of the Illinois Insurance Code.

3 Rulemaking authority to implement Public Act 95-1045, if  
4 any, is conditioned on the rules being adopted in accordance  
5 with all provisions of the Illinois Administrative Procedure  
6 Act and all rules and procedures of the Joint Committee on  
7 Administrative Rules; any purported rule not so adopted, for  
8 whatever reason, is unauthorized.

9 (Source: P.A. 99-480, eff. 9-9-15; 100-24, eff. 7-18-17;  
10 100-138, eff. 8-18-17; revised 10-3-17.)

11 Section 10. The Department of Public Health Powers and  
12 Duties Law of the Civil Administrative Code of Illinois is  
13 amended by adding Section 2310-700 as follows:

14 (20 ILCS 2310/2310-700 new)

15 Sec. 2310-700. Contraceptive drugs and products; Director  
16 standing order.

17 (a) As used in this Section:

18 "Hormonal contraceptive" means a prescribed  
19 medically-acceptable oral drug, transdermal patch, or vaginal  
20 ring that is approved by the United States Food and Drug  
21 Administration to prevent pregnancy.

22 "Standing order" has the meaning given to that term in the  
23 Pharmacy Practice Act.

24 (b) If the Director of Public Health is a physician

1 licensed to practice medicine in all its branches in Illinois,  
2 the Director shall establish a standing order complete with the  
3 issuance of a prescription for a hormonal contraceptive in  
4 accordance with this Section. If the Director is not a  
5 physician licensed to practice medicine in all its branches in  
6 Illinois, then the Medical Director of the Department of Public  
7 Health shall establish a standing order in accordance with this  
8 Section.

9 (c) The standing order, at a minimum, shall comply with the  
10 following:

11 (1) A pharmacist may dispense a 12-month supply of  
12 hormonal contraceptives to a patient.

13 (2) A pharmacist shall have the patient complete the  
14 self-screening risk assessment tool. The self-screening  
15 risk assessment tool is to be based on the most current  
16 version of the United States Medical Eligibility Criteria  
17 for Contraceptive Use published by the federal Centers for  
18 Disease Control and Prevention.

19 (3) Based upon the results of the self-screening risk  
20 assessment and the patient assessment, the pharmacist  
21 shall use his or her professional and clinical judgment as  
22 to when a patient should be referred to the patient's  
23 physician or another health care provider.

24 (4) The pharmacist shall provide, during the patient  
25 assessment and consultation, counseling and education  
26 about all methods of contraception, including methods not

1 covered under the standing order, and their proper use and  
2 effectiveness.

3 (6) The patient consultation shall take place in a  
4 private manner consistent with rules adopted by the  
5 Department of Financial and Professional Regulation.

6 (7) The Department shall adopt rules under this Section  
7 that require a pharmacist to:

8 (A) complete an educational training program  
9 accredited by the Accreditation Council for Pharmacy  
10 Education and approved by the Department that is  
11 related to the patient self-screening risk assessment,  
12 patient assessment, contraceptive counseling and  
13 education, and dispensation of hormonal  
14 contraceptives; and

15 (B) dispense the hormonal contraceptive to the  
16 patient as soon as practicable after meeting the  
17 requirements of paragraph (2).

18 (8) All State and federal laws governing insurance  
19 coverage of contraceptive drugs shall apply to hormonal  
20 contraceptives dispensed by a pharmacist under this  
21 Section.

22 Section 15. The Counties Code is amended by changing  
23 Section 5-1069.3 as follows:

24 (55 ILCS 5/5-1069.3)

1           Sec. 5-1069.3. Required health benefits. If a county,  
2 including a home rule county, is a self-insurer for purposes of  
3 providing health insurance coverage for its employees, the  
4 coverage shall include coverage for the post-mastectomy care  
5 benefits required to be covered by a policy of accident and  
6 health insurance under Section 356t and the coverage required  
7 under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x,  
8 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,  
9 356z.14, 356z.15, 356z.22, ~~and~~ 356z.25, 356z.26, and 356z.29 of  
10 the Illinois Insurance Code. The coverage shall comply with  
11 Sections 155.22a, 355b, 356z.19, and 370c of the Illinois  
12 Insurance Code. The requirement that health benefits be covered  
13 as provided in this Section is an exclusive power and function  
14 of the State and is a denial and limitation under Article VII,  
15 Section 6, subsection (h) of the Illinois Constitution. A home  
16 rule county to which this Section applies must comply with  
17 every provision of this Section.

18           Rulemaking authority to implement Public Act 95-1045, if  
19 any, is conditioned on the rules being adopted in accordance  
20 with all provisions of the Illinois Administrative Procedure  
21 Act and all rules and procedures of the Joint Committee on  
22 Administrative Rules; any purported rule not so adopted, for  
23 whatever reason, is unauthorized.

24           (Source: P.A. 99-480, eff. 9-9-15; 100-24, eff. 7-18-17;  
25 100-138, eff. 8-18-17; revised 10-5-17.)

1           Section 20. The Illinois Municipal Code is amended by  
2 changing Section 10-4-2.3 as follows:

3           (65 ILCS 5/10-4-2.3)

4           Sec. 10-4-2.3. Required health benefits. If a  
5 municipality, including a home rule municipality, is a  
6 self-insurer for purposes of providing health insurance  
7 coverage for its employees, the coverage shall include coverage  
8 for the post-mastectomy care benefits required to be covered by  
9 a policy of accident and health insurance under Section 356t  
10 and the coverage required under Sections 356g, 356g.5,  
11 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10,  
12 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, ~~and~~  
13 356z.25, 356z.26, and 356z.29 of the Illinois Insurance Code.  
14 The coverage shall comply with Sections 155.22a, 355b, 356z.19,  
15 and 370c of the Illinois Insurance Code. The requirement that  
16 health benefits be covered as provided in this is an exclusive  
17 power and function of the State and is a denial and limitation  
18 under Article VII, Section 6, subsection (h) of the Illinois  
19 Constitution. A home rule municipality to which this Section  
20 applies must comply with every provision of this Section.

21           Rulemaking authority to implement Public Act 95-1045, if  
22 any, is conditioned on the rules being adopted in accordance  
23 with all provisions of the Illinois Administrative Procedure  
24 Act and all rules and procedures of the Joint Committee on  
25 Administrative Rules; any purported rule not so adopted, for

1 whatever reason, is unauthorized.

2 (Source: P.A. 99-480, eff. 9-9-15; 100-24, eff. 7-18-17;  
3 100-138, eff. 8-18-17; revised 10-5-17.)

4 Section 25. The School Code is amended by changing Section  
5 10-22.3f as follows:

6 (105 ILCS 5/10-22.3f)

7 Sec. 10-22.3f. Required health benefits. Insurance  
8 protection and benefits for employees shall provide the  
9 post-mastectomy care benefits required to be covered by a  
10 policy of accident and health insurance under Section 356t and  
11 the coverage required under Sections 356g, 356g.5, 356g.5-1,  
12 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12,  
13 356z.13, 356z.14, 356z.15, 356z.22, ~~and~~ 356z.25, 356z.26, and  
14 356z.29 of the Illinois Insurance Code. Insurance policies  
15 shall comply with Section 356z.19 of the Illinois Insurance  
16 Code. The coverage shall comply with Sections 155.22a and 355b  
17 of the Illinois Insurance Code.

18 Rulemaking authority to implement Public Act 95-1045, if  
19 any, is conditioned on the rules being adopted in accordance  
20 with all provisions of the Illinois Administrative Procedure  
21 Act and all rules and procedures of the Joint Committee on  
22 Administrative Rules; any purported rule not so adopted, for  
23 whatever reason, is unauthorized.

24 (Source: P.A. 100-24, eff. 7-18-17; 100-138, eff. 8-18-17;

1 revised 9-25-17.)

2 Section 30. The Illinois Insurance Code is amended by  
3 adding Section 356z.29 as follows:

4 (215 ILCS 5/356z.29 new)

5 Sec. 356z.29. Coverage for patient care services provided  
6 by a pharmacist.

7 (a) As used in this Section:

8 "Medication therapy management services" has the meaning  
9 given to the term in the Pharmacy Practice Act.

10 "Patient counseling" has the meaning given to the term in  
11 the Pharmacy Practice Act.

12 "Pharmacist care" has the meaning given to the term in the  
13 Pharmacy Practice Act.

14 "Telepharmacy" has the meaning given to the term in the  
15 Pharmacy Practice Act.

16 (b) A group or individual policy of accident and health  
17 insurance or a managed care plan that is amended, delivered,  
18 issued, or renewed after the effective date of this amendatory  
19 Act of the 100th General Assembly shall provide coverage for  
20 patient care services provided by a pharmacist, including, but  
21 not limited to: medication therapy management services,  
22 medication optimization services, comprehensive medication  
23 reviews, pharmacist care services, patient counseling  
24 (including those provided through telepharmacy), patient



1 consultations (including those provided through telepharmacy),  
2 disease state management (including self-management training),  
3 naloxone hydrochloride assessment or administration, hormonal  
4 contraceptives assessment and consultation, immunization  
5 assessment or administration, administration of medications,  
6 and other such services that are considered within the scope of  
7 practice of pharmacy under the Pharmacy Practice Act.

8 Section 35. The Pharmacy Practice Act is amended by  
9 changing Section 3 as follows:

10 (225 ILCS 85/3)

11 (Section scheduled to be repealed on January 1, 2020)

12 Sec. 3. Definitions. For the purpose of this Act, except  
13 where otherwise limited therein:

14 (a) "Pharmacy" or "drugstore" means and includes every  
15 store, shop, pharmacy department, or other place where  
16 pharmacist care is provided by a pharmacist (1) where drugs,  
17 medicines, or poisons are dispensed, sold or offered for sale  
18 at retail, or displayed for sale at retail; or (2) where  
19 prescriptions of physicians, dentists, advanced practice  
20 registered nurses, physician assistants, veterinarians,  
21 podiatric physicians, or optometrists, within the limits of  
22 their licenses, are compounded, filled, or dispensed; or (3)  
23 which has upon it or displayed within it, or affixed to or used  
24 in connection with it, a sign bearing the word or words

1 "Pharmacist", "Druggist", "Pharmacy", "Pharmaceutical Care",  
2 "Apothecary", "Drugstore", "Medicine Store", "Prescriptions",  
3 "Drugs", "Dispensary", "Medicines", or any word or words of  
4 similar or like import, either in the English language or any  
5 other language; or (4) where the characteristic prescription  
6 sign (Rx) or similar design is exhibited; or (5) any store, or  
7 shop, or other place with respect to which any of the above  
8 words, objects, signs or designs are used in any advertisement.

9 (b) "Drugs" means and includes (1) articles recognized in  
10 the official United States Pharmacopoeia/National Formulary  
11 (USP/NF), or any supplement thereto and being intended for and  
12 having for their main use the diagnosis, cure, mitigation,  
13 treatment or prevention of disease in man or other animals, as  
14 approved by the United States Food and Drug Administration, but  
15 does not include devices or their components, parts, or  
16 accessories; and (2) all other articles intended for and having  
17 for their main use the diagnosis, cure, mitigation, treatment  
18 or prevention of disease in man or other animals, as approved  
19 by the United States Food and Drug Administration, but does not  
20 include devices or their components, parts, or accessories; and  
21 (3) articles (other than food) having for their main use and  
22 intended to affect the structure or any function of the body of  
23 man or other animals; and (4) articles having for their main  
24 use and intended for use as a component or any articles  
25 specified in clause (1), (2) or (3); but does not include  
26 devices or their components, parts or accessories.

1 (c) "Medicines" means and includes all drugs intended for  
2 human or veterinary use approved by the United States Food and  
3 Drug Administration.

4 (d) "Practice of pharmacy" means:

5 (1) the interpretation and the provision of assistance  
6 in the monitoring, evaluation, and implementation of  
7 prescription drug orders;

8 (2) the dispensing of prescription drug orders;

9 (3) participation in drug and device selection;

10 (4) drug administration limited to the administration  
11 of oral, topical, injectable, and inhalation as follows:

12 (A) in the context of patient education on the  
13 proper use or delivery of medications;

14 (B) vaccination of patients 14 years of age and  
15 older pursuant to a valid prescription or standing  
16 order, by a physician licensed to practice medicine in  
17 all its branches, upon completion of appropriate  
18 training, including how to address contraindications  
19 and adverse reactions set forth by rule, with  
20 notification to the patient's physician and  
21 appropriate record retention, or pursuant to hospital  
22 pharmacy and therapeutics committee policies and  
23 procedures; and

24 (C) administration of injections of  
25 alpha-hydroxyprogesterone caproate, pursuant to a  
26 valid prescription, by a physician licensed to

1 practice medicine in all its branches, upon completion  
2 of appropriate training, including how to address  
3 contraindications and adverse reactions set forth by  
4 rule, with notification to the patient's physician and  
5 appropriate record retention, or pursuant to hospital  
6 pharmacy and therapeutics committee policies and  
7 procedures;

8 (5) vaccination of patients ages 10 through 13 limited  
9 to the Influenza (inactivated influenza vaccine and live  
10 attenuated influenza intranasal vaccine) and Tdap (defined  
11 as tetanus, diphtheria, acellular pertussis) vaccines,  
12 pursuant to a valid prescription or standing order, by a  
13 physician licensed to practice medicine in all its  
14 branches, upon completion of appropriate training,  
15 including how to address contraindications and adverse  
16 reactions set forth by rule, with notification to the  
17 patient's physician and appropriate record retention, or  
18 pursuant to hospital pharmacy and therapeutics committee  
19 policies and procedures;

20 (6) drug regimen review;

21 (7) drug or drug-related research;

22 (8) the provision of patient counseling;

23 (9) the practice of telepharmacy;

24 (10) the provision of those acts or services necessary  
25 to provide pharmacist care;

26 (11) medication therapy management; and

1 (12) the responsibility for compounding and labeling  
2 of drugs and devices (except labeling by a manufacturer,  
3 repackager, or distributor of non-prescription drugs and  
4 commercially packaged legend drugs and devices), proper  
5 and safe storage of drugs and devices, and maintenance of  
6 required records; ~~and-~~

7 (13) the dispensing of hormonal contraceptives  
8 pursuant to the standing order under Section 2310-700 of  
9 the Department of Public Health Powers and Duties Law of  
10 the Civil Administrative Code of Illinois.

11 A pharmacist who performs any of the acts defined as the  
12 practice of pharmacy in this State must be actively licensed as  
13 a pharmacist under this Act.

14 (e) "Prescription" means and includes any written, oral,  
15 facsimile, or electronically transmitted order for drugs or  
16 medical devices, issued by a physician licensed to practice  
17 medicine in all its branches, dentist, veterinarian, podiatric  
18 physician, or optometrist, within the limits of his or her  
19 license ~~their licenses~~, by a physician assistant in accordance  
20 with subsection (f) of Section 4, or by an advanced practice  
21 registered nurse in accordance with subsection (g) of Section  
22 4, containing the following: (1) name of the patient; (2) date  
23 when prescription was issued; (3) name and strength of drug or  
24 description of the medical device prescribed; and (4) quantity;  
25 (5) directions for use; (6) prescriber's name, address, and  
26 signature; and (7) DEA registration number where required, for

1 controlled substances. The prescription may, but is not  
2 required to, list the illness, disease, or condition for which  
3 the drug or device is being prescribed. DEA registration  
4 numbers shall not be required on inpatient drug orders.

5 (f) "Person" means and includes a natural person,  
6 partnership, association, corporation, government entity, or  
7 any other legal entity.

8 (g) "Department" means the Department of Financial and  
9 Professional Regulation.

10 (h) "Board of Pharmacy" or "Board" means the State Board of  
11 Pharmacy of the Department of Financial and Professional  
12 Regulation.

13 (i) "Secretary" means the Secretary of Financial and  
14 Professional Regulation.

15 (j) "Drug product selection" means the interchange for a  
16 prescribed pharmaceutical product in accordance with Section  
17 25 of this Act and Section 3.14 of the Illinois Food, Drug and  
18 Cosmetic Act.

19 (k) "Inpatient drug order" means an order issued by an  
20 authorized prescriber for a resident or patient of a facility  
21 licensed under the Nursing Home Care Act, the ID/DD Community  
22 Care Act, the MC/DD Act, the Specialized Mental Health  
23 Rehabilitation Act of 2013, the Hospital Licensing Act, or the  
24 University of Illinois Hospital Act ~~"An Act in relation to the~~  
25 ~~founding and operation of the University of Illinois Hospital~~  
26 ~~and the conduct of University of Illinois health care~~

1 ~~programs", approved July 3, 1931, as amended,~~ or a facility  
2 which is operated by the Department of Human Services (as  
3 successor to the Department of Mental Health and Developmental  
4 Disabilities) or the Department of Corrections.

5 (k-5) "Pharmacist" means an individual health care  
6 professional and provider currently licensed by this State to  
7 engage in the practice of pharmacy.

8 (l) "Pharmacist in charge" means the licensed pharmacist  
9 whose name appears on a pharmacy license and who is responsible  
10 for all aspects of the operation related to the practice of  
11 pharmacy.

12 (m) "Dispense" or "dispensing" means the interpretation,  
13 evaluation, and implementation of a prescription drug order,  
14 including the preparation and delivery of a drug or device to a  
15 patient or patient's agent in a suitable container  
16 appropriately labeled for subsequent administration to or use  
17 by a patient in accordance with applicable State and federal  
18 laws and regulations. "Dispense" or "dispensing" does not mean  
19 the physical delivery to a patient or a patient's  
20 representative in a home or institution by a designee of a  
21 pharmacist or by common carrier. "Dispense" or "dispensing"  
22 also does not mean the physical delivery of a drug or medical  
23 device to a patient or patient's representative by a  
24 pharmacist's designee within a pharmacy or drugstore while the  
25 pharmacist is on duty and the pharmacy is open.

26 (n) "Nonresident pharmacy" means a pharmacy that is located

1 in a state, commonwealth, or territory of the United States,  
2 other than Illinois, that delivers, dispenses, or distributes,  
3 through the United States Postal Service, commercially  
4 acceptable parcel delivery service, or other common carrier, to  
5 Illinois residents, any substance which requires a  
6 prescription.

7 (o) "Compounding" means the preparation and mixing of  
8 components, excluding flavorings, (1) as the result of a  
9 prescriber's prescription drug order or initiative based on the  
10 prescriber-patient-pharmacist relationship in the course of  
11 professional practice or (2) for the purpose of, or incident  
12 to, research, teaching, or chemical analysis and not for sale  
13 or dispensing. "Compounding" includes the preparation of drugs  
14 or devices in anticipation of receiving prescription drug  
15 orders based on routine, regularly observed dispensing  
16 patterns. Commercially available products may be compounded  
17 for dispensing to individual patients only if all of the  
18 following conditions are met: (i) the commercial product is not  
19 reasonably available from normal distribution channels in a  
20 timely manner to meet the patient's needs and (ii) the  
21 prescribing practitioner has requested that the drug be  
22 compounded.

23 (p) (Blank).

24 (q) (Blank).

25 (r) "Patient counseling" means the communication between a  
26 pharmacist or a student pharmacist under the supervision of a



1 pharmacist and a patient or the patient's representative about  
2 the patient's medication or device for the purpose of  
3 optimizing proper use of prescription medications or devices.  
4 "Patient counseling" may include without limitation (1)  
5 obtaining a medication history; (2) acquiring a patient's  
6 allergies and health conditions; (3) facilitation of the  
7 patient's understanding of the intended use of the medication;  
8 (4) proper directions for use; (5) significant potential  
9 adverse events; (6) potential food-drug interactions; and (7)  
10 the need to be compliant with the medication therapy. A  
11 pharmacy technician may only participate in the following  
12 aspects of patient counseling under the supervision of a  
13 pharmacist: (1) obtaining medication history; (2) providing  
14 the offer for counseling by a pharmacist or student pharmacist;  
15 and (3) acquiring a patient's allergies and health conditions.

16 (s) "Patient profiles" or "patient drug therapy record"  
17 means the obtaining, recording, and maintenance of patient  
18 prescription information, including prescriptions for  
19 controlled substances, and personal information.

20 (t) (Blank).

21 (u) "Medical device" or "device" means an instrument,  
22 apparatus, implement, machine, contrivance, implant, in vitro  
23 reagent, or other similar or related article, including any  
24 component part or accessory, required under federal law to bear  
25 the label "Caution: Federal law requires dispensing by or on  
26 the order of a physician". A seller of goods and services who,

1 only for the purpose of retail sales, compounds, sells, rents,  
2 or leases medical devices shall not, by reasons thereof, be  
3 required to be a licensed pharmacy.

4 (v) "Unique identifier" means an electronic signature,  
5 handwritten signature or initials, thumb print, or other  
6 acceptable biometric or electronic identification process as  
7 approved by the Department.

8 (w) "Current usual and customary retail price" means the  
9 price that a pharmacy charges to a non-third-party payor.

10 (x) "Automated pharmacy system" means a mechanical system  
11 located within the confines of the pharmacy or remote location  
12 that performs operations or activities, other than compounding  
13 or administration, relative to storage, packaging, dispensing,  
14 or distribution of medication, and which collects, controls,  
15 and maintains all transaction information.

16 (y) "Drug regimen review" means and includes the evaluation  
17 of prescription drug orders and patient records for (1) known  
18 allergies; (2) drug or potential therapy contraindications;  
19 (3) reasonable dose, duration of use, and route of  
20 administration, taking into consideration factors such as age,  
21 gender, and contraindications; (4) reasonable directions for  
22 use; (5) potential or actual adverse drug reactions; (6)  
23 drug-drug interactions; (7) drug-food interactions; (8)  
24 drug-disease contraindications; (9) therapeutic duplication;  
25 (10) patient laboratory values when authorized and available;  
26 (11) proper utilization (including over or under utilization)

1 and optimum therapeutic outcomes; and (12) abuse and misuse.

2 (z) "Electronically transmitted prescription" means a  
3 prescription that is created, recorded, or stored by electronic  
4 means; issued and validated with an electronic signature; and  
5 transmitted by electronic means directly from the prescriber to  
6 a pharmacy. An electronic prescription is not an image of a  
7 physical prescription that is transferred by electronic means  
8 from computer to computer, facsimile to facsimile, or facsimile  
9 to computer.

10 (aa) "Medication therapy management services" means a  
11 distinct service or group of services offered by licensed  
12 pharmacists, physicians licensed to practice medicine in all  
13 its branches, advanced practice registered nurses authorized  
14 in a written agreement with a physician licensed to practice  
15 medicine in all its branches, or physician assistants  
16 authorized in guidelines by a supervising physician that  
17 optimize therapeutic outcomes for individual patients through  
18 improved medication use. In a retail or other non-hospital  
19 pharmacy, medication therapy management services shall consist  
20 of the evaluation of prescription drug orders and patient  
21 medication records to resolve conflicts with the following:

22 (1) known allergies;

23 (2) drug or potential therapy contraindications;

24 (3) reasonable dose, duration of use, and route of  
25 administration, taking into consideration factors such as  
26 age, gender, and contraindications;

- 1 (4) reasonable directions for use;
- 2 (5) potential or actual adverse drug reactions;
- 3 (6) drug-drug interactions;
- 4 (7) drug-food interactions;
- 5 (8) drug-disease contraindications;
- 6 (9) identification of therapeutic duplication;
- 7 (10) patient laboratory values when authorized and
- 8 available;
- 9 (11) proper utilization (including over or under
- 10 utilization) and optimum therapeutic outcomes; and
- 11 (12) drug abuse and misuse.

12 "Medication therapy management services" includes the  
13 following:

- 14 (1) documenting the services delivered and
- 15 communicating the information provided to patients'
- 16 prescribers within an appropriate time frame, not to exceed
- 17 48 hours;
- 18 (2) providing patient counseling designed to enhance a
- 19 patient's understanding and the appropriate use of his or
- 20 her medications; and
- 21 (3) providing information, support services, and
- 22 resources designed to enhance a patient's adherence with
- 23 his or her prescribed therapeutic regimens.

24 "Medication therapy management services" may also include  
25 patient care functions authorized by a physician licensed to  
26 practice medicine in all its branches for his or her identified

1 patient or groups of patients under specified conditions or  
2 limitations in a standing order from the physician.

3 "Medication therapy management services" in a licensed  
4 hospital may also include the following:

5 (1) reviewing assessments of the patient's health  
6 status; and

7 (2) following protocols of a hospital pharmacy and  
8 therapeutics committee with respect to the fulfillment of  
9 medication orders.

10 (bb) "Pharmacist care" means the provision by a pharmacist  
11 of medication therapy management services, with or without the  
12 dispensing of drugs or devices, intended to achieve outcomes  
13 that improve patient health, quality of life, and comfort and  
14 enhance patient safety.

15 (cc) "Protected health information" means individually  
16 identifiable health information that, except as otherwise  
17 provided, is:

18 (1) transmitted by electronic media;

19 (2) maintained in any medium set forth in the  
20 definition of "electronic media" in the federal Health  
21 Insurance Portability and Accountability Act; or

22 (3) transmitted or maintained in any other form or  
23 medium.

24 "Protected health information" does not include  
25 individually identifiable health information found in:

26 (1) education records covered by the federal Family

1 Educational Right and Privacy Act; or

2 (2) employment records held by a licensee in its role  
3 as an employer.

4 (dd) "Standing order" means a specific order for a patient  
5 or group of patients issued by a physician licensed to practice  
6 medicine in all its branches in Illinois.

7 (ee) "Address of record" means the designated address  
8 recorded by the Department in the applicant's application file  
9 or licensee's license file maintained by the Department's  
10 licensure maintenance unit.

11 (ff) "Home pharmacy" means the location of a pharmacy's  
12 primary operations.

13 (gg) "Email address of record" means the designated email  
14 address recorded by the Department in the applicant's  
15 application file or the licensee's license file, as maintained  
16 by the Department's licensure maintenance unit.

17 (Source: P.A. 99-180, eff. 7-29-15; 100-208, eff. 1-1-18;  
18 100-497, eff. 9-8-17; 100-513, eff. 1-1-18; revised 9-29-17.)

19 Section 40. The Illinois Public Aid Code is amended by  
20 adding Section 5-5.12b as follows:

21 (305 ILCS 5/5-5.12b new)

22 Sec. 5-5.12b. Coverage for patient care services provided  
23 by a pharmacist.

24 (a) As used in this Section:

1       "Medication therapy management services" has the meaning  
2 given to the term in the Pharmacy Practice Act.

3       "Patient counseling" has the meaning given to the term in  
4 the Pharmacy Practice Act.

5       "Pharmacist care" has the meaning given to the term in the  
6 Pharmacy Practice Act.

7       "Telepharmacy" has the meaning given to the term in the  
8 Pharmacy Practice Act.

9       (b) Subject to approval by the federal Centers for Medicare  
10 and Medicaid Services, the medical assistance program,  
11 including both the fee-for-service and managed care medical  
12 assistance programs established under this Article, shall  
13 cover patient care services provided by a pharmacist.

14       (c) The Department shall establish a fee schedule for the  
15 list of pharmacist-provided patient care services.

16       (d) The rate of reimbursement for pharmacist-provided  
17 patient care services shall be at 85% of the fee schedule for  
18 physician services by the medical assistance program.

19       (e) The covered pharmacist-provided patient care services  
20 include, but are not limited to: medication therapy management  
21 services, medication optimization services, comprehensive  
22 medication reviews, pharmacist care services, patient  
23 counseling (including those provided through telepharmacy),  
24 patient consultations (including those provided through  
25 telepharmacy), disease state management (including  
26 self-management training), naloxone hydrochloride assessment

1 or administration, hormonal contraceptives assessment and  
2 consultation, immunization assessment or administration,  
3 administration of medications, and other such services that are  
4 considered within the scope of practice of pharmacy under the  
5 Pharmacy Practice Act.

6 (f) A pharmacist must be enrolled in the medical assistance  
7 program as an ordering and referring provider prior to  
8 rendering a pharmacist-provided patient care service that is  
9 submitted by a pharmacy or pharmacist provider for  
10 reimbursement pursuant to this Section.

11 (g) The Director shall seek any necessary federal waivers  
12 or approvals to implement this Section. This Section shall not  
13 be implemented until the receipt of all necessary federal  
14 waivers or approvals and shall be implemented only to the  
15 extent that federal financial participation is available.

16 (h) This Section does not restrict or prohibit any services  
17 currently provided by pharmacists as authorized by law,  
18 including, but not limited to, pharmacist services provided  
19 under this Code or authorized under the Illinois XIX State  
20 Plan.

21 (i) The Department shall adopt administrative rules for  
22 this Section as soon as practicable but no later than May 1,  
23 2019.

24 Section 99. Effective date. This Act takes effect January  
25 1, 2019."