

1 AN ACT in relation to aging.

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

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

7 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

8 Sec. 6. Administration.

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

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

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

30 (d) Pharmaceutical Assistance. The Department shall  
31 allow all pharmacies licensed under the Pharmacy Practice Act

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

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

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

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

32 (3) Establishment of liens upon any and all causes  
33 of action which accrue to a beneficiary as a result of  
34 injuries for which covered prescription drugs are

1 directly or indirectly required and for which the  
2 Director made payment or became liable for under this  
3 Act;

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

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

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

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

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

26 (Source: P.A. 91-357, eff. 7-29-99; 92-651, eff. 7-11-02.)