



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1554

Introduced 2/10/2005, by Rep. Aaron Schock

SYNOPSIS AS INTRODUCED:

New Act

Creates the Prescription Drug Price Finder Act. Requires the Department on Aging to establish and maintain an online clearinghouse to be known as the State of Illinois Prescription Drug Price Finder. Provides that the Drug Price Finder shall identify the 25 most commonly prescribed drugs in Illinois, as reported by pharmacies to the Department of Public Aid, and their prices. Provides that the Department on Aging shall enter into an interagency agreement with the Department of Public Aid and the Department of Financial and Professional Regulation for the purpose of implementing the Drug Price Finder program. Provides that any licensed pharmacist or pharmacy in the State may participate in the Drug Price Finder program, and requires the Department of Financial and Professional Regulation to cooperate with the Department on Aging in encouraging pharmacists and pharmacies to participate in the program. Sets forth the information that must be made available on the Drug Price Finder Web site, and requires the Department on Aging to update the information contained on the Drug Price Finder Web site every 2 months. Requires that the Drug Price Finder program be fully operational within 6 months after the effective date of the Act. Requires the Department on Aging to evaluate the Drug Price Finder program after 18 months and report its findings and recommendations to the General Assembly. Effective immediately.

LRB094 08132 DRJ 40966 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 1. Short title. This Act may be cited as the
5 Prescription Drug Price Finder Act.

6 Section 5. State of Illinois Prescription Drug Price
7 Finder.

8 (a) The Department on Aging shall establish and maintain an
9 online clearinghouse to be known as the State of Illinois
10 Prescription Drug Price Finder ("the Drug Price Finder"). The
11 Department shall maintain the Drug Price Finder as part of the
12 Department's official Web site as provided in Section 20. The
13 Drug Price Finder shall identify the 25 most commonly
14 prescribed drugs in Illinois and their usual and customary
15 prices, as reported to the Department of Public Aid as provided
16 in Section 10.

17 (b) The Department on Aging shall enter into an interagency
18 agreement with the Department of Public Aid and the Department
19 of Financial and Professional Regulation for the purpose of
20 implementing the Drug Price Finder program. The agreement shall
21 ensure that in all exchanges of information under this Act, the
22 confidentiality of patient identifying information is
23 maintained.

24 Section 10. Drug price reporting.

25 (a) The Department on Aging, through an interagency
26 agreement with the Department of Public Aid, shall acquire and
27 compile the information necessary to carry out the provisions
28 of this Act. A pharmacy shall report information concerning the
29 prescription drugs dispensed by the pharmacy and the pharmacy's
30 usual and customary price for each such drug in the form and
31 manner prescribed by the Department of Public Aid in rules, but

1 so far as practicable, the information shall be reported in
2 connection with the pharmacy's requests for reimbursement
3 under the medical assistance program under Article V of the
4 Illinois Public Aid Code.

5 (b) For purposes of this Act, a pharmacy's "usual and
6 customary" price for a drug means the price that a cash-paying
7 consumer without insurance to cover the cost of the drug would
8 pay for the drug. The "usual and customary" price does not
9 include any discount that the pharmacy may offer to senior
10 citizens or to other persons.

11 (c) From the information reported by pharmacies under this
12 Section, the Department of Public Aid shall compile a list of
13 the 25 most commonly prescribed drugs and their usual and
14 customary prices and shall transmit that information to the
15 Department on Aging. The Department of Public Aid shall
16 transmit this information to the Department on Aging from time
17 to time as specified in the interagency agreement so that the
18 Department on Aging may update the information in the Drug
19 Price Finder as required under Section 20.

20 Section 15. Participating pharmacies. Any licensed
21 pharmacist or pharmacy in the State may participate in the Drug
22 Price Finder program. Pharmacies that do not participate in the
23 program of medical assistance under Article V of the Illinois
24 Public Aid Code ("non-Medicaid pharmacies") may voluntarily
25 submit their usual and customary prices of prescription drugs
26 to the Department of Public Aid. The Department of Financial
27 and Professional Regulation shall verify to the Department on
28 Aging the licensure status of non-Medicaid pharmacies
29 participating in the Drug Price Finder program.

30 Section 20. Drug Price Finder Web site.

31 (a) The Drug Price Finder Web site must contain at least
32 the following information for each of the 25 most commonly used
33 prescription drugs reported to the Department of Public Aid as
34 provided in Section 10:

- 1 (1) The drug's brand name.
- 2 (2) The drug's usual and customary price.
- 3 (3) The drug's generic name.
- 4 (4) The drug's strength, based on a typical 30-day
5 supply.
- 6 (5) The quantity of the drug prescribed, based on a
7 typical 30-day supply.
- 8 (6) The condition or conditions for which the drug is
9 typically prescribed as treatment.

10 (b) The Drug Price Finder Web site must be interactive and
11 must allow a user to perform a variety of searches to obtain
12 information concerning a particular prescription drug
13 (including different drug strengths, if applicable), a
14 particular pharmacy, or a particular geographic location in the
15 State (including searches by county, municipality, or zip
16 code). For each prescription drug listed in the Drug Price
17 Finder, the search results shall identify the pharmacies that
18 dispensed that drug during the applicable period and each such
19 pharmacy's usual and customary price for the drug during that
20 period. For each prescription drug listed in the Drug Price
21 Finder, the Web site must allow a user to access the
22 information specified in subsection (a) of this Section.

23 (c) The Department on Aging shall update the information
24 contained on the Drug Price Finder Web site every 2 months.

25 Section 25. Operation of program; evaluation and report.

26 (a) The Department on Aging must ensure that the Drug Price
27 Finder program is fully operational within 6 months after the
28 effective date of this Act.

29 (b) Eighteen months after the Drug Price Finder program
30 begins operation, the Department on Aging shall evaluate the
31 program and report its findings and recommendations to the
32 General Assembly.

33 Section 99. Effective date. This Act takes effect upon
34 becoming law.