

HB5871



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5871

Introduced 2/10/2010, by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.12

from Ch. 23, par. 5-5.12

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that when making determinations as to which drugs shall be on a prior approval list, the Department of Healthcare and Family Services shall include as part of the analysis for this determination, the degree to which a drug may affect individuals in different ways based on factors including the gender of the person taking the medication. Effective immediately.

LRB096 18826 KTG 34212 b

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.12 as follows:

6 (305 ILCS 5/5-5.12) (from Ch. 23, par. 5-5.12)

7 Sec. 5-5.12. Pharmacy payments.

8 (a) Every request submitted by a pharmacy for reimbursement
9 under this Article for prescription drugs provided to a
10 recipient of aid under this Article shall include the name of
11 the prescriber or an acceptable identification number as
12 established by the Department.

13 (b) Pharmacies providing prescription drugs under this
14 Article shall be reimbursed at a rate which shall include a
15 professional dispensing fee as determined by the Illinois
16 Department, plus the current acquisition cost of the
17 prescription drug dispensed. The Illinois Department shall
18 update its information on the acquisition costs of all
19 prescription drugs no less frequently than every 30 days.
20 However, the Illinois Department may set the rate of
21 reimbursement for the acquisition cost, by rule, at a
22 percentage of the current average wholesale acquisition cost.

23 (c) (Blank).

1 (d) The Department shall not impose requirements for prior
2 approval based on a preferred drug list for anti-retroviral,
3 anti-hemophilic factor concentrates, or any atypical
4 antipsychotics, conventional antipsychotics, or
5 anticonvulsants used for the treatment of serious mental
6 illnesses until 30 days after it has conducted a study of the
7 impact of such requirements on patient care and submitted a
8 report to the Speaker of the House of Representatives and the
9 President of the Senate.

10 (e) When making determinations as to which drugs shall be
11 on a prior approval list, the Department shall include as part
12 of the analysis for this determination, the degree to which a
13 drug may affect individuals in different ways based on factors
14 including the gender of the person taking the medication.

15 (Source: P.A. 93-106, eff. 7-8-03; 94-48, eff. 7-1-05.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.