

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.