

1 AN ACT concerning regulation.

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

4 Section 5. The Pharmacy Practice Act is amended by  
5 changing Sections 3 and 43 as follows:

6 (225 ILCS 85/3)

7 (Section scheduled to be repealed on January 1, 2028)

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

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

1 similar or like import, either in the English language or any  
2 other language; or (4) where the characteristic prescription  
3 sign (Rx) or similar design is exhibited; or (5) any store, or  
4 shop, or other place with respect to which any of the above  
5 words, objects, signs or designs are used in any  
6 advertisement.

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

25 (c) "Medicines" means and includes all drugs intended for  
26 human or veterinary use approved by the United States Food and

1 Drug Administration.

2 (d) "Practice of pharmacy" means:

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

6 (2) the dispensing of prescription drug orders;

7 (3) participation in drug and device selection;

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

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

12 (B) vaccination of patients 7 years of age and  
13 older pursuant to a valid prescription or standing  
14 order, by a physician licensed to practice medicine in  
15 all its branches, except for vaccinations covered by  
16 paragraph (15), upon completion of appropriate  
17 training, including how to address contraindications  
18 and adverse reactions set forth by rule, with  
19 notification to the patient's physician and  
20 appropriate record retention, or pursuant to hospital  
21 pharmacy and therapeutics committee policies and  
22 procedures. Eligible vaccines are those listed on the  
23 U.S. Centers for Disease Control and Prevention (CDC)  
24 Recommended Immunization Schedule, the CDC's Health  
25 Information for International Travel, or the U.S. Food  
26 and Drug Administration's Vaccines Licensed and

1 Authorized for Use in the United States. As applicable  
2 to the State's Medicaid program and other payers,  
3 vaccines ordered and administered in accordance with  
4 this subsection shall be covered and reimbursed at no  
5 less than the rate that the vaccine is reimbursed when  
6 ordered and administered by a physician;

7 (B-5) (blank);

8 (C) administration of injections of  
9 alpha-hydroxyprogesterone caproate, pursuant to a  
10 valid prescription, by a physician licensed to  
11 practice medicine in all its branches, upon completion  
12 of appropriate training, including how to address  
13 contraindications and adverse reactions set forth by  
14 rule, with notification to the patient's physician and  
15 appropriate record retention, or pursuant to hospital  
16 pharmacy and therapeutics committee policies and  
17 procedures; and

18 (D) administration of long-acting injectables for  
19 mental health or substance use disorders pursuant to a  
20 valid prescription by the patient's physician licensed  
21 to practice medicine in all its branches, advanced  
22 practice registered nurse, or physician assistant upon  
23 completion of appropriate training conducted by an  
24 Accreditation Council of Pharmaceutical Education  
25 accredited provider, including how to address  
26 contraindications and adverse reactions set forth by

1 rule, with notification to the patient's physician and  
2 appropriate record retention, or pursuant to hospital  
3 pharmacy and therapeutics committee policies and  
4 procedures;

5 (5) (blank);

6 (6) drug regimen review;

7 (7) drug or drug-related research;

8 (8) the provision of patient counseling;

9 (9) the practice of telepharmacy;

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

12 (11) medication therapy management;

13 (12) the responsibility for compounding and labeling  
14 of drugs and devices (except labeling by a manufacturer,  
15 repackager, or distributor of non-prescription drugs and  
16 commercially packaged legend drugs and devices), proper  
17 and safe storage of drugs and devices, and maintenance of  
18 required records;

19 (13) the assessment and consultation of patients and  
20 dispensing of ~~hormonal~~ contraceptives, including emergency  
21 contraception;

22 (14) the initiation, dispensing, or administration of  
23 drugs, laboratory tests, assessments, referrals, and  
24 consultations for human immunodeficiency virus  
25 pre-exposure prophylaxis and human immunodeficiency virus  
26 post-exposure prophylaxis under Section 43.5;

1           (15) vaccination of patients 7 years of age and older  
2           for COVID-19 or influenza subcutaneously, intramuscularly,  
3           or orally as authorized, approved, or licensed by the  
4           United States Food and Drug Administration, pursuant to  
5           the following conditions:

6                   (A) the vaccine must be authorized or licensed by  
7                   the United States Food and Drug Administration;

8                   (B) the vaccine must be ordered and administered  
9                   according to the Advisory Committee on Immunization  
10                  Practices standard immunization schedule;

11                  (C) the pharmacist must complete a course of  
12                  training accredited by the Accreditation Council on  
13                  Pharmacy Education or a similar health authority or  
14                  professional body approved by the Division of  
15                  Professional Regulation;

16                  (D) the pharmacist must have a current certificate  
17                  in basic cardiopulmonary resuscitation;

18                  (E) the pharmacist must complete, during each  
19                  State licensing period, a minimum of 2 hours of  
20                  immunization-related continuing pharmacy education  
21                  approved by the Accreditation Council on Pharmacy  
22                  Education;

23                  (F) the pharmacist must comply with recordkeeping  
24                  and reporting requirements of the jurisdiction in  
25                  which the pharmacist administers vaccines, including  
26                  informing the patient's primary-care provider, when

1 available, and complying with requirements whereby the  
2 person administering a vaccine must review the vaccine  
3 registry or other vaccination records prior to  
4 administering the vaccine; and

5 (G) the pharmacist must inform the pharmacist's  
6 patients who are less than 18 years old, as well as the  
7 adult caregiver accompanying the child, of the  
8 importance of a well-child visit with a pediatrician  
9 or other licensed primary-care provider and must refer  
10 patients as appropriate;

11 (16) the ordering and administration of COVID-19  
12 therapeutics subcutaneously, intramuscularly, or orally  
13 with notification to the patient's physician and  
14 appropriate record retention or pursuant to hospital  
15 pharmacy and therapeutics committee policies and  
16 procedures. Eligible therapeutics are those approved,  
17 authorized, or licensed by the United States Food and Drug  
18 Administration and must be administered subcutaneously,  
19 intramuscularly, or orally in accordance with that  
20 approval, authorization, or licensing; and

21 (17) the ordering and administration of point of care  
22 tests, screenings, and treatments for (i) influenza, (ii)  
23 SARS-CoV-2, (iii) Group A Streptococcus, (iv) respiratory  
24 syncytial virus, (v) adult-stage head louse, and (vi)  
25 health conditions identified by a statewide public health  
26 emergency, as defined in the Illinois Emergency Management

1 Agency Act, with notification to the patient's physician,  
2 if any, and appropriate record retention or pursuant to  
3 hospital pharmacy and therapeutics committee policies and  
4 procedures. Eligible tests and screenings are those  
5 approved, authorized, or licensed by the United States  
6 Food and Drug Administration and must be administered in  
7 accordance with that approval, authorization, or  
8 licensing.

9 A pharmacist who orders or administers tests or  
10 screenings for health conditions described in this  
11 paragraph may use a test that may guide clinical  
12 decision-making for the health condition that is waived  
13 under the federal Clinical Laboratory Improvement  
14 Amendments of 1988 and regulations promulgated thereunder  
15 or any established screening procedure that is established  
16 under a statewide protocol.

17 A pharmacist may delegate the administrative and  
18 technical tasks of performing a test for the health  
19 conditions described in this paragraph to a registered  
20 pharmacy technician or student pharmacist acting under the  
21 supervision of the pharmacist.

22 The testing, screening, and treatment ordered under  
23 this paragraph by a pharmacist shall not be denied  
24 reimbursement under health benefit plans that are within  
25 the scope of the pharmacist's license and shall be covered  
26 as if the services or procedures were performed by a



1 physician, an advanced practice registered nurse, or a  
2 physician assistant.

3 A pharmacy benefit manager, health carrier, health  
4 benefit plan, or third-party payor shall not discriminate  
5 against a pharmacy or a pharmacist with respect to  
6 participation referral, reimbursement of a covered  
7 service, or indemnification if a pharmacist is acting  
8 within the scope of the pharmacist's license and the  
9 pharmacy is operating in compliance with all applicable  
10 laws and rules.

11 A pharmacist who performs any of the acts defined as the  
12 practice of pharmacy in this State must be actively licensed  
13 as 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, by a physician assistant in accordance with  
20 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)  
25 quantity; (5) directions for use; (6) prescriber's name,  
26 address, and signature; and (7) DEA registration number where

1 required, for controlled substances. The prescription may, but  
2 is not required to, list the illness, disease, or condition  
3 for which the drug or device is being prescribed. DEA  
4 registration numbers shall not be required on inpatient drug  
5 orders. A prescription for medication other than controlled  
6 substances shall be valid for up to 15 months from the date  
7 issued for the purpose of refills, unless the prescription  
8 states otherwise.

9 (f) "Person" means and includes a natural person,  
10 partnership, association, corporation, government entity, or  
11 any other legal entity.

12 (g) "Department" means the Department of Financial and  
13 Professional Regulation.

14 (h) "Board of Pharmacy" or "Board" means the State Board  
15 of Pharmacy of the Department of Financial and Professional  
16 Regulation.

17 (i) "Secretary" means the Secretary of Financial and  
18 Professional Regulation.

19 (j) "Drug product selection" means the interchange for a  
20 prescribed pharmaceutical product in accordance with Section  
21 25 of this Act and Section 3.14 of the Illinois Food, Drug and  
22 Cosmetic Act.

23 (k) "Inpatient drug order" means an order issued by an  
24 authorized prescriber for a resident or patient of a facility  
25 licensed under the Nursing Home Care Act, the ID/DD Community  
26 Care Act, the MC/DD Act, the Specialized Mental Health

1     Rehabilitation Act of 2013, the Hospital Licensing Act, or the  
2     University of Illinois Hospital Act, or a facility which is  
3     operated by the Department of Human Services (as successor to  
4     the Department of Mental Health and Developmental  
5     Disabilities) or the Department of Corrections.

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

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

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

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

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

24           (p) (Blank).

25           (q) (Blank).

26           (r) "Patient counseling" means the communication between a

1 pharmacist or a student pharmacist under the supervision of a  
2 pharmacist and a patient or the patient's representative about  
3 the patient's medication or device for the purpose of  
4 optimizing proper use of prescription medications or devices.

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

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

22 (t) (Blank).

23 (u) "Medical device" or "device" means an instrument,  
24 apparatus, implement, machine, contrivance, implant, in vitro  
25 reagent, or other similar or related article, including any  
26 component part or accessory, required under federal law to

1 bear the label "Caution: Federal law requires dispensing by or  
2 on the order of a physician". A seller of goods and services  
3 who, only for the purpose of retail sales, compounds, sells,  
4 rents, or leases medical devices shall not, by reasons  
5 thereof, be required to be a licensed pharmacy.

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

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

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

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

1 therapeutic duplication; (10) patient laboratory values when  
2 authorized and available; (11) proper utilization (including  
3 over or under utilization) and optimum therapeutic outcomes;  
4 and (12) abuse and misuse.

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

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

25 (1) known allergies;

26 (2) drug or potential therapy contraindications;

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

4           (4) reasonable directions for use;

5           (5) potential or actual adverse drug reactions;

6           (6) drug-drug interactions;

7           (7) drug-food interactions;

8           (8) drug-disease contraindications;

9           (9) identification of therapeutic duplication;

10          (10) patient laboratory values when authorized and  
11          available;

12          (11) proper utilization (including over or under  
13          utilization) and optimum therapeutic outcomes; and

14          (12) drug abuse and misuse.

15          "Medication therapy management services" includes the  
16          following:

17               (1) documenting the services delivered and  
18               communicating the information provided to patients'  
19               prescribers within an appropriate time frame, not to  
20               exceed 48 hours;

21               (2) providing patient counseling designed to enhance a  
22               patient's understanding and the appropriate use of his or  
23               her medications; and

24               (3) providing information, support services, and  
25               resources designed to enhance a patient's adherence with  
26               his or her prescribed therapeutic regimens.



1       "Medication therapy management services" may also include  
2       patient care functions authorized by a physician licensed to  
3       practice medicine in all its branches for his or her  
4       identified patient or groups of patients under specified  
5       conditions or limitations in a standing order from the  
6       physician.

7       "Medication therapy management services" in a licensed  
8       hospital may also include the following:

9               (1) reviewing assessments of the patient's health  
10              status; and

11             (2) following protocols of a hospital pharmacy and  
12             therapeutics committee with respect to the fulfillment of  
13             medication orders.

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

19       (cc) "Protected health information" means individually  
20       identifiable health information that, except as otherwise  
21       provided, is:

22             (1) transmitted by electronic media;

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

26             (3) transmitted or maintained in any other form or

1 medium.

2 "Protected health information" does not include  
3 individually identifiable health information found in:

4 (1) education records covered by the federal Family  
5 Educational Right and Privacy Act; or

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

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

11 (ee) "Address of record" means the designated address  
12 recorded by the Department in the applicant's application file  
13 or licensee's license file maintained by the Department's  
14 licensure maintenance unit.

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

17 (gg) "Email address of record" means the designated email  
18 address recorded by the Department in the applicant's  
19 application file or the licensee's license file, as maintained  
20 by the Department's licensure maintenance unit.

21 (Source: P.A. 102-16, eff. 6-17-21; 102-103, eff. 1-1-22;  
22 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1051, eff.  
23 1-1-23; 103-1, eff. 4-27-23; 103-593, eff. 6-7-24; 103-612,  
24 eff. 1-1-25; revised 11-26-24.)

25 (225 ILCS 85/43)

(Section scheduled to be repealed on January 1, 2028)

Sec. 43. Dispensation of ~~hormonal~~ contraceptives, including emergency contraception.

(a) The dispensing of ~~hormonal~~ contraceptives, including emergency contraception, to a patient shall be pursuant to a valid prescription, or pursuant to a standing order by a physician licensed to practice medicine in all its branches, a standing order by the medical director of a local health department, or a standing order by the Department of Public Health pursuant to the following:

(1) a pharmacist may dispense no more than a 12-month supply of ~~hormonal~~ contraceptives, including emergency contraception, to a patient;

(2) a pharmacist must complete an educational training program accredited by the Accreditation Council for Pharmacy Education and approved by the Department that is related to the patient self-screening risk assessment, patient assessment contraceptive counseling and education, and dispensation of ~~hormonal~~ contraceptives, including emergency contraception;

(3) a pharmacist shall have the patient complete the self-screening risk assessment tool; the self-screening risk assessment tool is to be based on the most current version of the United States Medical Eligibility Criteria for Contraceptive Use published by the federal Centers for Disease Control and Prevention;

1           (4) based upon the results of the self-screening risk  
2           assessment and the patient assessment, the pharmacist  
3           shall use his or her professional and clinical judgment as  
4           to when a patient should be referred to the patient's  
5           physician or another health care provider;

6           (5) a pharmacist shall provide, during the patient  
7           assessment and consultation, counseling and education  
8           about all methods of contraception, including methods not  
9           covered under the standing order, and their proper use and  
10          effectiveness;

11          (6) the patient consultation shall take place in a  
12          private manner; and

13          (7) a pharmacist and pharmacy must maintain  
14          appropriate records.

15          (b) The Department may adopt rules to implement this  
16          Section.

17          (c) Nothing in this Section shall be interpreted to  
18          require a pharmacist to dispense ~~hormonal~~ contraception,  
19          including emergency contraception, under a standing order  
20          issued by a physician licensed to practice medicine in all its  
21          branches or the medical director of a local health department.

22          (d) Notwithstanding any other provision of the law to the  
23          contrary, a pharmacist may dispense ~~hormonal~~ contraceptives,  
24          including emergency contraception, in conformance with  
25          standing orders issued pursuant to this Section without prior  
26          establishment of a relationship between the pharmacist and the

1 person receiving ~~hormonal~~ contraception.

2 (e) No employee of the Department of Public Health issuing  
3 a standing order pursuant to this Section shall, as a result of  
4 the employee's acts or omissions in issuing the standing order  
5 pursuant to this Section, be subject to (i) any disciplinary  
6 or other adverse action under the Medical Practice Act of  
7 1987, (ii) any civil liability, or (iii) any criminal  
8 liability.

9 (Source: P.A. 102-103, eff. 1-1-22; 102-813, eff. 5-13-22;  
10 102-1117, eff. 1-13-23.)

11 Section 10. The Illinois Public Aid Code is amended by  
12 changing Section 5-5.12d as follows:

13 (305 ILCS 5/5-5.12d)

14 Sec. 5-5.12d. Coverage for patient care services for  
15 ~~hormonal~~ contraceptives, human immunodeficiency virus  
16 pre-exposure prophylaxis, and human immunodeficiency virus  
17 post-exposure prophylaxis provided by a pharmacist.

18 (a) Subject to approval by the federal Centers for  
19 Medicare and Medicaid Services, the medical assistance  
20 program, including both the fee-for-service and managed care  
21 medical assistance programs established under this Article,  
22 shall cover patient care services provided by a pharmacist for  
23 ~~hormonal~~ contraceptives, including emergency contraception,  
24 human immunodeficiency virus pre-exposure prophylaxis, and

1 human immunodeficiency virus post-exposure prophylaxis  
2 assessment and consultation.

3 (b) The Department shall establish a fee schedule for  
4 patient care services provided by a pharmacist under Sections  
5 43 and 43.5 of the Pharmacy Practice Act and shall be covered  
6 and reimbursed at no less than 85% of the rate that the  
7 services are reimbursed when provided by a physician.

8 (c) The rate of reimbursement for patient care services  
9 provided by a pharmacist for ~~hormonal~~ contraceptives,  
10 including emergency contraception, human immunodeficiency  
11 virus pre-exposure prophylaxis, and human immunodeficiency  
12 virus post-exposure prophylaxis assessment and consultation  
13 shall be at 85% of the fee schedule for physician services by  
14 the medical assistance program.

15 (d) A pharmacist must be enrolled in the medical  
16 assistance program as an ordering and referring provider prior  
17 to providing patient care services for ~~hormonal~~  
18 contraceptives, including emergency contraception, human  
19 immunodeficiency virus pre-exposure prophylaxis, and human  
20 immunodeficiency virus post-exposure prophylaxis assessment  
21 and consultation that is submitted by a pharmacy or pharmacist  
22 provider for reimbursement pursuant to this Section.

23 (e) The Department shall apply for any necessary federal  
24 waivers or approvals to implement this Section by January 1,  
25 2023.

26 (f) This Section does not restrict or prohibit any

1 services currently provided by pharmacists as authorized by  
2 law, including, but not limited to, pharmacist services  
3 provided under this Code or authorized under the Illinois  
4 Title XIX State Plan.

5 (g) The Department shall submit to the Joint Committee on  
6 Administrative Rules administrative rules for this Section as  
7 soon as practicable but no later than 6 months after federal  
8 approval is received.

9 (Source: P.A. 102-103, eff. 1-1-22; 102-813, eff. 5-13-22;  
10 102-1051, eff. 1-1-23.)