



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4793

by Rep. Rick Ryan

SYNOPSIS AS INTRODUCED:

225 ILCS 85/20.5 new
225 ILCS 85/24

from Ch. 111, par. 4144

Amends the Pharmacy Practice Act. Provides that a pharmacist who is exercising his or her professional judgment may add missing non-pharmaceutical devices or durable medical equipment that aid in the appropriate clinical usage of a medication or in achieving a positive therapeutic outcome to a prescription. Provides that a pharmacist may complete missing information on a prescription if there is evidence to support the change. Requires any adaptations to a prescription to be documented in the patient's record. In provisions concerning the distribution of a prescription drug for less than its fair market value, provides that it shall be unlawful to require a pharmacist or pharmacy to dispense a prescription drug for less than its fair market value, including the cost of dispensing. Provides that a payor that reimburses a pharmacy for less than fair market value, including the cost of dispensing, shall not be able to include the pharmacy toward any network adequacy requirements and shall not be deemed in compliance with any willing provider provisions.

LRB104 19413 AAS 32861 b

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 adding
5 Section 20.5 and by changing Section 24 as follows:

6 (225 ILCS 85/20.5 new)

7 Sec. 20.5. Missing information, non-pharmaceutical
8 devices, and durable medical equipment.

9 (a) A pharmacist who is exercising his or her professional
10 judgment may add missing non-pharmaceutical devices or durable
11 medical equipment that aid in the appropriate clinical usage
12 of a medication or in achieving a positive therapeutic outcome
13 to a prescription.

14 (b) A pharmacist may complete missing information on a
15 prescription if there is evidence to support the change. Any
16 adaptations to the prescription shall be documented in the
17 patient's record.

18 (225 ILCS 85/24) (from Ch. 111, par. 4144)

19 (Section scheduled to be repealed on January 1, 2028)

20 Sec. 24. It shall be unlawful for any manufacturer or
21 distributor of a prescription drug, or any person on behalf of
22 such manufacturer or distributor, to distribute a prescription

1 drug without charge or for less than its fair market value to
2 any person directly or indirectly.

3 It shall be unlawful to require a pharmacist or pharmacy
4 to dispense a prescription drug for less than its fair market
5 value, including the cost of dispensing. A payor that
6 reimburses a pharmacy for less than fair market value,
7 including the cost of dispensing, shall not be able to include
8 the pharmacy toward any network adequacy requirements and
9 shall not be deemed in compliance with any willing provider
10 provisions.

11 Nothing in this Section shall be construed to prohibit the
12 distribution of a prescription drug:

13 (a) at a discount in accordance with the laws of the
14 United States or the State of Illinois;

15 (b) to a person for use in an investigation conducted
16 under Federal Food and Drug Administration regulations;

17 (c) to a patient by a pharmacist in response to a
18 request written and signed by a medical practitioner which
19 designates the quantity to be distributed;

20 (d) to a licensed medical practitioner in response to
21 a request signed by the practitioner which designates the
22 quantity to be distributed;

23 (e) to an agency of the federal government or to a
24 state government or political subdivision for regulatory
25 or enforcement purposes;

26 (f) in an emergency as determined by the laws of the

1 United States or the State of Illinois; or
2 (g) to a bona fide charity authorized to possess and
3 dispense prescription drugs.
4 (Source: P.A. 85-796.)