

SB2813



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2813

Introduced 1/13/2026, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.1

from Ch. 23, par. 5-4.1

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services shall not require any medical assistance recipient to pay a co-payment for services or prescription medications. Requires the Department to apply for any State Plan amendment or federal approval necessary to implement the amendatory Act, if required.

LRB104 16865 KTG 30275 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 5-4.1 as follows:

6 (305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

7 Sec. 5-4.1. Co-payments prohibited. The Department shall
8 not require any recipient of medical assistance under any
9 Article of this Code to pay a co-payment for services or
10 prescription medications. The Department shall apply for any
11 State Plan amendment or federal approval necessary to
12 implement this Section, if required. ~~The Department may by~~
13 ~~rule provide that recipients under any Article of this Code~~
14 ~~shall pay a federally approved fee as a co payment for~~
15 ~~services. No co payment requirement can exist for renal~~
16 ~~dialysis, radiation therapy, cancer chemotherapy, or insulin,~~
17 ~~and other products necessary on a recurring basis, the absence~~
18 ~~of which would be life threatening, or where co payment~~
19 ~~expenditures for required services and/or medications for~~
20 ~~chronic diseases that the Illinois Department shall by rule~~
21 ~~designate shall cause an extensive financial burden on the~~
22 ~~recipient, and provided no co payment shall exist for~~
23 ~~emergency room encounters which are for medical emergencies.~~

1 ~~The Department shall seek approval of a State plan amendment~~
2 ~~that allows pharmacies to refuse to dispense drugs in~~
3 ~~circumstances where the recipient does not pay the required~~
4 ~~co-payment. Co-payments may not exceed \$10 for emergency room~~
5 ~~use for a non-emergency situation as defined by the Department~~
6 ~~by rule and subject to federal approval.~~

7 (Source: P.A. 101-209, eff. 8-5-19.)