



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2259

by Rep. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-30.11 new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to develop, no later than January 1, 2020, a standardized format for all Medicaid managed care organization preferred drug lists in collaboration with Medicaid managed care organizations and other stakeholders, including, but not limited to, organizations that serve individuals impacted by HIV/AIDS or epilepsy, and community-based organizations, providers, and entities with expertise in drug formulary development. Requires the Department to allow Medicaid managed care organizations 6 months from the completion date of the standardized format to comply with the new Preferred Drug List format. Requires each Medicaid managed care organization to post its preferred drug list on its website without restricting access and to update the preferred drug list posted on its website no less than 30 days prior to the date upon which any update or change takes effect. Requires the Department to establish, no later than January 1, 2020, the Illinois Drug and Therapeutics Advisory Board to have the authority and responsibility to provide recommendations to the Department regarding which drug products to list on the Department's preferred drug list. Contains provisions concerning Board meetings and correspondence; the Board's composition; voting and non-voting members; and other matters. Requires the Department to adopt rules, to be in place no later than January 1, 2020, for the purpose of establishing and maintaining the Board. Effective immediately.

LRB101 09722 KTG 54822 b

FISCAL NOTE ACT  
MAY APPLY

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 adding Section 5-30.11 as follows:

6 (305 ILCS 5/5-30.11 new)

7 Sec. 5-30.11. Medicaid managed care organizations;  
8 preferred drug lists.

9 (a) No later than January 1, 2020, the Illinois Department  
10 shall develop a standardized format for all Medicaid managed  
11 care organization preferred drug lists in collaboration with  
12 Medicaid managed care organizations and other stakeholders,  
13 including, but not limited to, organizations that serve  
14 individuals impacted by HIV/AIDS or epilepsy, and  
15 community-based organizations, providers, and entities with  
16 expertise in drug formulary development.

17 (b) Following development of the standardized Preferred  
18 Drug List format, the Illinois Department shall allow Medicaid  
19 managed care organizations 6 months from the date of completion  
20 to comply with the new Preferred Drug List format. Each  
21 Medicaid managed care organization must post its preferred drug  
22 list on its website without restricting access and must update  
23 the preferred drug list posted on its website. Medicaid managed

1 care organizations shall publish updates to their preferred  
2 drug lists no less than 30 days prior to the date upon which  
3 any update or change takes effect, including, but not limited  
4 to, any and all changes to requirements for prior approval  
5 requirements, step therapy, or other utilization controls.

6 (c)(1) No later than January 1, 2020, the Illinois  
7 Department shall establish and maintain the Illinois Drug and  
8 Therapeutics Advisory Board. The Board shall have the authority  
9 and responsibility to provide recommendations to the Illinois  
10 Department regarding which drug products to list on the  
11 Illinois Department's preferred drug list. The Illinois  
12 Department shall provide administrative support to the Board  
13 and the Board shall:

14 (A) convene and meet no less than once per calendar  
15 quarter;

16 (B) provide regular opportunities for public comment;  
17 and

18 (C) comply with the provisions of the Open Meetings  
19 Act.

20 All correspondence related to the Board, including  
21 correspondence to and from Board members, shall be subject to  
22 the Freedom of Information Act.

23 (2) The Board shall consist of the following voting  
24 members, all of whom shall be appointed by the Governor and  
25 shall serve terms of 3 years without compensation:

26 (A) one pharmacist licensed to practice pharmacy in

1 Illinois who is recommended by a statewide organization  
2 representing pharmacists;

3 (B) 4 physicians, recommended by a statewide  
4 organization representing physicians, who are licensed to  
5 practice medicine in all its branches in Illinois, have  
6 knowledge of and adhere to best practice standards, and  
7 have experience treating Illinois Medicaid beneficiaries;

8 (C) at least 2 clinicians representing health care  
9 advocacy organizations that serve individuals who are  
10 affected by chronic diseases that require significant  
11 pharmaceutical treatments;

12 (D) one clinician representing the Illinois  
13 Department; and

14 (E) one licensed psychiatrist, recommended by a  
15 statewide organization representing psychiatrists, who has  
16 experience treating Illinois Medicaid beneficiaries.

17 Organizations interested in nominating non-voting  
18 clinicians to advise the Board may submit requests to  
19 participate to the Illinois Department.

20 (d) The Illinois Department shall adopt rules, to be in  
21 place no later than January 1, 2020, for the purpose of  
22 establishing and maintaining the Board.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.