

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 one clinician who specializes in the
9 prevention and treatment of HIV, recommended by an HIV
10 healthcare advocacy organization;

11 (D) at least one clinician recommended by a healthcare
12 advocacy organization that serves individuals who are
13 affected by chronic diseases that require significant
14 pharmaceutical treatments;

15 (E) one clinician representing the Illinois
16 Department; and

17 (F) one licensed psychiatrist, recommended by a
18 statewide organization representing psychiatrists, who has
19 experience treating Illinois Medicaid beneficiaries.

20 One non-voting clinician recommended by an association of
21 Medicaid managed care health plans shall serve a term of 3
22 years on the Board without compensation.

23 Organizations interested in nominating non-voting
24 clinicians to advise the Board may submit requests to
25 participate to the Illinois Department.

26 A licensed physician recommended by the Rare Disease

1 Commission who is a rare disease specialist and possesses
2 scientific knowledge and medical training with respect to rare
3 diseases and is familiar with drug and biological products and
4 treatment shall be notified in advance to attend an Illinois
5 Drug and Therapeutics Advisory Board meeting when a drug or
6 biological product is scheduled to be reviewed in order to
7 advise and make recommendations on drugs or biological
8 products.

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

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.