

1 AN ACT concerning senior citizens and disabled persons.

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

4 Section 5. The Senior Citizens and Disabled Persons  
5 Property Tax Relief and Pharmaceutical Assistance Act is  
6 amended by changing Section 4 as follows:

7 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

8 Sec. 4. Amount of Grant.

9 (a) In general. Any individual 65 years or older or any  
10 individual who will become 65 years old during the calendar  
11 year in which a claim is filed, and any surviving spouse of  
12 such a claimant, who at the time of death received or was  
13 entitled to receive a grant pursuant to this Section, which  
14 surviving spouse will become 65 years of age within the 24  
15 months immediately following the death of such claimant and  
16 which surviving spouse but for his or her age is otherwise  
17 qualified to receive a grant pursuant to this Section, and  
18 any disabled person whose annual household income is less  
19 than \$14,000 for grant years before the 1998 grant year, less  
20 than \$16,000 for the 1998 and 1999 grant years, and less than  
21 (i) \$21,218 for a household containing one person, (ii)  
22 \$28,480 for a household containing 2 persons, or (iii)  
23 \$35,740 for a household containing 3 or more persons for the  
24 2000 grant year, and less than (i) \$28,000 for a household  
25 containing one person, (ii) \$35,000 for a household  
26 containing 2 persons, or (iii) \$42,000 for a household  
27 containing 3 or more persons for the 2003 grant year and  
28 thereafter and whose household is liable for payment of  
29 property taxes accrued or has paid rent constituting property  
30 taxes accrued and is domiciled in this State at the time he  
31 or she files his or her claim is entitled to claim a grant

1 under this Act. Beginning January 1, 2004, the amount of the  
2 limitation on the household income of the applicant shall be  
3 subject to annual adjustments equal to the percentage of  
4 increase in the previous calendar year in the Consumer Price  
5 Index for All Urban Consumers for all items published by the  
6 United States Department of Labor. With respect to claims  
7 filed by individuals who will become 65 years old during the  
8 calendar year in which a claim is filed, the amount of any  
9 grant to which that household is entitled shall be an amount  
10 equal to 1/12 of the amount to which the claimant would  
11 otherwise be entitled as provided in this Section, multiplied  
12 by the number of months in which the claimant was 65 in the  
13 calendar year in which the claim is filed.

14 (b) Limitation. Except as otherwise provided in  
15 subsections (a) and (f) of this Section, the maximum amount  
16 of grant which a claimant is entitled to claim is the amount  
17 by which the property taxes accrued which were paid or  
18 payable during the last preceding tax year or rent  
19 constituting property taxes accrued upon the claimant's  
20 residence for the last preceding taxable year exceeds 3 1/2%  
21 of the claimant's household income for that year but in no  
22 event is the grant to exceed (i) \$700 less 4.5% of household  
23 income for that year for those with a household income of  
24 \$14,000 or less or (ii) \$70 if household income for that year  
25 is more than \$14,000.

26 (c) Public aid recipients. If household income in one  
27 or more months during a year includes cash assistance in  
28 excess of \$55 per month from the Department of Public Aid or  
29 the Department of Human Services (acting as successor to the  
30 Department of Public Aid under the Department of Human  
31 Services Act) which was determined under regulations of that  
32 Department on a measure of need that included an allowance  
33 for actual rent or property taxes paid by the recipient of  
34 that assistance, the amount of grant to which that household

1 is entitled, except as otherwise provided in subsection (a),  
2 shall be the product of (1) the maximum amount computed as  
3 specified in subsection (b) of this Section and (2) the ratio  
4 of the number of months in which household income did not  
5 include such cash assistance over \$55 to the number twelve.  
6 If household income did not include such cash assistance over  
7 \$55 for any months during the year, the amount of the grant  
8 to which the household is entitled shall be the maximum  
9 amount computed as specified in subsection (b) of this  
10 Section. For purposes of this paragraph (c), "cash  
11 assistance" does not include any amount received under the  
12 federal Supplemental Security Income (SSI) program.

13 (d) Joint ownership. If title to the residence is held  
14 jointly by the claimant with a person who is not a member of  
15 his or her household, the amount of property taxes accrued  
16 used in computing the amount of grant to which he or she is  
17 entitled shall be the same percentage of property taxes  
18 accrued as is the percentage of ownership held by the  
19 claimant in the residence.

20 (e) More than one residence. If a claimant has occupied  
21 more than one residence in the taxable year, he or she may  
22 claim only one residence for any part of a month. In the  
23 case of property taxes accrued, he or she shall prorate 1/12  
24 of the total property taxes accrued on his or her residence  
25 to each month that he or she owned and occupied that  
26 residence; and, in the case of rent constituting property  
27 taxes accrued, shall prorate each month's rent payments to  
28 the residence actually occupied during that month.

29 (f) There is hereby established a program of  
30 pharmaceutical assistance to the aged and disabled which  
31 shall be administered by the Department in accordance with  
32 this Act, to consist of payments to authorized pharmacies, on  
33 behalf of beneficiaries of the program, for the reasonable  
34 costs of covered prescription drugs. Each beneficiary who

1 pays \$5 for an identification card shall pay no additional  
2 prescription costs. Each beneficiary who pays \$25 for an  
3 identification card shall pay \$3 per prescription. In  
4 addition, after a beneficiary receives \$2,000 in benefits  
5 during a State fiscal year, that beneficiary shall also be  
6 charged 20% of the cost of each prescription for which  
7 payments are made by the program during the remainder of the  
8 fiscal year. To become a beneficiary under this program a  
9 person must: (1) be (i) 65 years of age or older, or (ii) the  
10 surviving spouse of such a claimant, who at the time of death  
11 received or was entitled to receive benefits pursuant to this  
12 subsection, which surviving spouse will become 65 years of  
13 age within the 24 months immediately following the death of  
14 such claimant and which surviving spouse but for his or her  
15 age is otherwise qualified to receive benefits pursuant to  
16 this subsection, or (iii) disabled, and (2) be domiciled in  
17 this State at the time he or she files his or her claim, and  
18 (3) have a maximum household income of less than \$14,000 for  
19 grant years before the 1998 grant year, less than \$16,000 for  
20 the 1998 and 1999 grant years, and less than (i) \$21,218 for  
21 a household containing one person, (ii) \$28,480 for a  
22 household containing 2 persons, or (iii) \$35,740 for a  
23 household containing 3 more persons for the 2000 grant year,  
24 and less than (i) \$28,000 for a household containing one  
25 person, (ii) \$35,000 for a household containing 2 persons, or  
26 (iii) \$42,000 for a household containing 3 or more persons  
27 for the 2003 grant year and thereafter. Beginning January 1,  
28 2004, the amount of the limitation on the household income of  
29 the applicant shall be subject to annual adjustments equal to  
30 the percentage of increase in the previous calendar year in  
31 the Consumer Price Index for All Urban Consumers for all  
32 items published by the United States Department of Labor. In  
33 addition, each eligible person must (1) obtain an  
34 identification card from the Department, (2) at the time the

1 card is obtained, sign a statement assigning to the State of  
2 Illinois benefits which may be otherwise claimed under any  
3 private insurance plans, and (3) present the identification  
4 card to the dispensing pharmacist.

5 Whenever a generic equivalent for a covered prescription  
6 drug is available, the Department shall reimburse only for  
7 the reasonable costs of the generic equivalent, less the  
8 co-pay established in this Section, unless (i) the covered  
9 prescription drug contains one or more ingredients defined as  
10 a narrow therapeutic index drug at 21 CFR 320.33, (ii) the  
11 prescriber indicates on the face of the prescription "brand  
12 medically necessary", and (iii) the prescriber specifies that  
13 a substitution is not permitted. When issuing an oral  
14 prescription for covered prescription medication described in  
15 item (i) of this paragraph, the prescriber shall stipulate  
16 "brand medically necessary" and that a substitution is not  
17 permitted. If the covered prescription drug and its  
18 authorizing prescription do not meet the criteria listed  
19 above, the beneficiary may purchase the non-generic  
20 equivalent of the covered prescription drug by paying the  
21 difference between the generic cost and the non-generic cost  
22 plus the beneficiary co-pay.

23 Any person otherwise eligible for pharmaceutical  
24 assistance under this Act whose covered drugs are covered by  
25 any public program for assistance in purchasing any covered  
26 prescription drugs shall be ineligible for assistance under  
27 this Act to the extent such costs are covered by such other  
28 plan.

29 The fee to be charged by the Department for the  
30 identification card shall be equal to \$5 per coverage year  
31 for persons below the official poverty line as defined by the  
32 United States Department of Health and Human Services and \$25  
33 per coverage year for all other persons.

34 In the event that 2 or more persons are eligible for any

1 benefit under this Act, and are members of the same  
2 household, (1) each such person shall be entitled to  
3 participate in the pharmaceutical assistance program,  
4 provided that he or she meets all other requirements imposed  
5 by this subsection and (2) each participating household  
6 member contributes the fee required for that person by the  
7 preceding paragraph for the purpose of obtaining an  
8 identification card.

9 (Source: P.A. 91-357, eff. 7-29-99; 91-699, eff. 1-1-01;  
10 92-131, eff. 7-23-01; 92-519, eff. 1-1-02; 92-651, eff.  
11 7-11-02.)

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