



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 2/6/2004, by Tom Cross

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.1

from Ch. 23, par. 5-4.1

Amends the Illinois Public Aid Code. Makes technical changes in a Section regarding Medicaid co-payments.

LRB093 19677 DRJ 45418 b

1 AN ACT in relation to 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. The Department may by rule  
8 provide that recipients under any Article of this Code must  
9 ~~shall~~ pay a fee as a co-payment for services. Co-payments may  
10 not exceed \$3 for brand name drugs, \$1 for other pharmacy  
11 services other than for generic drugs, and \$2 for physicians  
12 services, dental services, optical services and supplies,  
13 chiropractic services, podiatry services, and encounter rate  
14 clinic services. There shall be no co-payment for generic  
15 drugs. Co-payments may not exceed \$3 for hospital outpatient  
16 and clinic services. Provided, however, that any such rule must  
17 provide that no co-payment requirement can exist for renal  
18 dialysis, radiation therapy, cancer chemotherapy, or insulin,  
19 and other products necessary on a recurring basis, the absence  
20 of which would be life threatening, or where co-payment  
21 expenditures for required services and/or medications for  
22 chronic diseases that the Illinois Department shall by rule  
23 designate shall cause an extensive financial burden on the  
24 recipient, and provided no co-payment shall exist for emergency  
25 room encounters which are for medical emergencies.

26 (Source: P.A. 92-597, eff. 6-28-02; 93-593, eff. 8-25-03.)