



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1613

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

215 ILCS 125/2-3.1

from Ch. 111 1/2, par. 1405.1

Amends the Health Maintenance Organization Act. Makes a technical change in a Section concerning drug products.

LRB094 02948 DRJ 32949 b

1 AN ACT concerning regulation.

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

4 Section 5. The Health Maintenance Organization Act is  
5 amended by changing Section 2-3.1 as follows:

6 (215 ILCS 125/2-3.1) (from Ch. 111 1/2, par. 1405.1)

7 Sec. 2-3.1. (a) No health maintenance organization shall  
8 cause to be dispensed any drug other than that ~~that~~ prescribed  
9 by a physician. Nothing herein shall prohibit drug product  
10 selection under Section 3.14 of the "Illinois Food, Drug and  
11 Cosmetic Act", approved June 29, 1967, as amended, and in  
12 accordance with the requirements of Section 25 of the "Pharmacy  
13 Practice Act of 1987", approved September 24, 1987, as amended.

14 (b) No health maintenance organization shall include in any  
15 contract with any physician providing for health care services  
16 any provision requiring such physician to prescribe any  
17 particular drug product to any enrollee unless the enrollee is  
18 a hospital in-patient where such drug product may be permitted  
19 pursuant to written guidelines or procedures previously  
20 established by a pharmaceutical or therapeutics committee of a  
21 hospital, approved by the medical staff of such hospital and  
22 specifically approved, in writing, by the prescribing  
23 physician for his or her patients in such hospital, and unless  
24 it is compounded, dispensed or sold by a pharmacy located in a  
25 hospital, as defined in Section 3 of the Hospital Licensing Act  
26 or a hospital organized under "An Act in relation to the  
27 founding and operation of the University of Illinois Hospital  
28 and the conduct of University of Illinois health care  
29 programs", approved July 3, 1931, as amended.

30 (Source: P.A. 85-1246.)