

# HB6726



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB6726

by Rep. Robert F. Flider

#### SYNOPSIS AS INTRODUCED:

30 ILCS 540/8 new  
305 ILCS 5/5-5.12b new

Amends the State Prompt Payment Act and the Illinois Public Aid Code. Requires the Department of Healthcare and Family Services to reimburse qualified providers of prescription drugs to persons presumed eligible for medical assistance under an expanded program of medical assistance that was the subject of an injunction issued by the Circuit Court of Cook County. Requires the Department to give priority in processing claims for reimbursement from those qualified providers. Effective immediately.

LRB095 22752 DRJ 53175 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 State Prompt Payment Act is amended by  
5 adding Section 8 as follows:

6 (30 ILCS 540/8 new)

7 Sec. 8. Qualified providers of prescription drugs under the  
8 Illinois Public Aid Code; priority of payment.

9 (a) In this Section, "qualified provider" means a pharmacy  
10 qualified under the Illinois Public Aid Code to provide  
11 prescription drugs to recipients of medical assistance under  
12 Article V of that Code who is entitled to reimbursement for  
13 prescription drugs provided to persons under Section 5-5.12b of  
14 that Code.

15 (b) Except as provided in subsection (c), if a qualified  
16 provider provides prescription drugs to a person presumed  
17 eligible for medical assistance under the expanded program of  
18 medical assistance described in Section 5-5.12b of the Illinois  
19 Public Aid Code and submits to the Department of Healthcare and  
20 Family Services a bill or invoice for those prescription drugs,  
21 then the Department must give priority to processing that bill  
22 or invoice for payment. Any bill or invoice meeting these  
23 criteria that is submitted to the Department must be processed

1 and forwarded for payment before any other bill or invoice is  
2 processed or forwarded for payment.

3 (c) A properly prepared voucher request to the Office of  
4 the Comptroller for payment to a qualified provider, as defined  
5 in this Section, shall be given priority by the Comptroller for  
6 processing and warrant issuance after debt service obligations  
7 and payroll obligations of the State have been met unless the  
8 Comptroller deems that other obligations of the State must be  
9 satisfied prior to these categories of payment. If at any time  
10 the Comptroller determines that there are insufficient funds  
11 available to process priority payments as required under this  
12 Section, then vouchers shall be processed and paid out in a  
13 first-in, first-out manner as corresponding funds become  
14 available.

15 Section 10. The Illinois Public Aid Code is amended by  
16 adding Section 5-5.12b as follows:

17 (305 ILCS 5/5-5.12b new)

18 Sec. 5-5.12b. Prescription drugs provided under expanded  
19 medical assistance program; reimbursement. A pharmacy that  
20 provided prescription drugs to a person who was presumed  
21 eligible for medical assistance under the expanded program of  
22 medical assistance under this Article that was the subject of a  
23 preliminary injunction issued by the Circuit Court of Cook  
24 County in the case of Caro v. Blagojevich et al., Case No. 07

1 CH 34353, affirmed by the Illinois Appellate Court for the  
2 First District, Fifth Division, No. 1-08-1061, on September 26,  
3 2008, is entitled to reimbursement for those prescription drugs  
4 from the Department of Healthcare and Family Services. The  
5 Department shall provide the reimbursement at the rates  
6 otherwise applicable in the case of recipients of medical  
7 assistance under this Article. The Department shall give  
8 priority to processing claims for reimbursement for those  
9 prescription drugs as required under Section 8 of the State  
10 Prompt Payment Act.

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