

# HB3097



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3097

Introduced 2/24/2009, by Rep. Tom Cross

#### 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.

LRB096 09794 RPM 19957 b

A BILL FOR

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", 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

1 it is compounded, dispensed or sold by a pharmacy located in a  
2 hospital, as defined in Section 3 of the Hospital Licensing Act  
3 or a hospital organized under "An Act in relation to the  
4 founding and operation of the University of Illinois Hospital  
5 and the conduct of University of Illinois health care  
6 programs", approved July 3, 1931, as amended.

7 (Source: P.A. 95-689, eff. 10-29-07.)