



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3933

Introduced 2/26/2009, by Rep. Karen May

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.12

from Ch. 23, par. 5-5.12

Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services shall permit a pharmacy participating in the medical assistance program to fill a single prescription or multiple prescriptions so that the pharmacy may dispense a 3-month supply of a prescription drug to a medical assistance recipient in a single purchase, provided that the amount dispensed must be sufficient to last the patient until the date that occurs 3 months from the date of purchase. Provides that the Department shall permit a pharmacy to refill such a 3-month supply of a prescription drug at least 3 times per year as medically indicated, provided that the total of the amount dispensed at the time of the initial purchase plus the amounts dispensed at the times of the 3 subsequent purchases must be sufficient to last the patient until the date that occurs one year from the date of the initial purchase.

LRB096 09812 DRJ 22356 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 Illinois Public Aid Code is amended by
5 changing Section 5-5.12 as follows:

6 (305 ILCS 5/5-5.12) (from Ch. 23, par. 5-5.12)

7 Sec. 5-5.12. Pharmacy payments.

8 (a) Every request submitted by a pharmacy for reimbursement
9 under this Article for prescription drugs provided to a
10 recipient of aid under this Article shall include the name of
11 the prescriber or an acceptable identification number as
12 established by the Department.

13 (b) Pharmacies providing prescription drugs under this
14 Article shall be reimbursed at a rate which shall include a
15 professional dispensing fee as determined by the Illinois
16 Department, plus the current acquisition cost of the
17 prescription drug dispensed. The Illinois Department shall
18 update its information on the acquisition costs of all
19 prescription drugs no less frequently than every 30 days.
20 However, the Illinois Department may set the rate of
21 reimbursement for the acquisition cost, by rule, at a
22 percentage of the current average wholesale acquisition cost.

23 (c) (Blank).

1 (d) The Department shall not impose requirements for prior
2 approval based on a preferred drug list for anti-retroviral,
3 anti-hemophilic factor concentrates, or any atypical
4 antipsychotics, conventional antipsychotics, or
5 anticonvulsants used for the treatment of serious mental
6 illnesses until 30 days after it has conducted a study of the
7 impact of such requirements on patient care and submitted a
8 report to the Speaker of the House of Representatives and the
9 President of the Senate.

10 (e) The Department shall permit a pharmacy participating in
11 the medical assistance program to fill a single prescription or
12 multiple prescriptions so that the pharmacy may dispense a
13 3-month supply of a prescription drug to a medical assistance
14 recipient in a single purchase, provided that the amount
15 dispensed must be sufficient to last the patient until the date
16 that occurs 3 months from the date of purchase. The Department
17 shall permit a pharmacy to refill such a 3-month supply of a
18 prescription drug at least 3 times per year as medically
19 indicated, provided that the total of the amount dispensed at
20 the time of the initial purchase plus the amounts dispensed at
21 the times of the 3 subsequent purchases must be sufficient to
22 last the patient until the date that occurs one year from the
23 date of the initial purchase.

24 (Source: P.A. 93-106, eff. 7-8-03; 94-48, eff. 7-1-05.)