

SB0799



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0799

Introduced 2/6/2009, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

320 ILCS 55/15

Amends the Illinois Prescription Drug Discount Program Act. Makes a technical change in a Section concerning definitions.

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A BILL FOR

1 AN ACT concerning aging.

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

4 Section 5. The Illinois Prescription Drug Discount Program
5 Act is amended by changing Section 15 as follows:

6 (320 ILCS 55/15)

7 Sec. 15. Definitions. As used in this Act:

8 "Authorized pharmacy" means any pharmacy registered in
9 this State under the ~~the~~ Pharmacy Practice Act or approved by
10 the Department of Financial and Professional Regulation and
11 approved by the Department or its program administrator.

12 "AWP" or "average wholesale price" means the amount
13 determined from the latest publication of the Red Book, a
14 universally subscribed pharmacist reference guide annually
15 published by the Hearst Corporation. "AWP" or "average
16 wholesale price" may also be derived electronically from the
17 drug pricing database synonymous with the latest publication of
18 the Red Book and furnished in the National Drug Data File
19 (NDDF) by First Data Bank (FDB), a service of the Hearst
20 Corporation.

21 "Covered medication" means any medication included in the
22 Illinois Prescription Drug Discount Program.

23 "Department" means the Department of Healthcare and Family

1 Services.

2 "Director" means the Director of Healthcare and Family
3 Services.

4 "Drug manufacturer" means any entity (1) that is located
5 within or outside Illinois that is engaged in (i) the
6 production, preparation, propagation, compounding, conversion,
7 or processing of prescription drug products covered under the
8 program, either directly or indirectly by extraction from
9 substances of natural origin, independently by means of
10 chemical synthesis, or by a combination of extraction and
11 chemical synthesis or (ii) the packaging, repackaging,
12 leveling, labeling, or distribution of prescription drug
13 products covered under the program and (2) that elects to
14 provide prescription drugs either directly or under contract
15 with any entity providing prescription drug services on behalf
16 of the State of Illinois. "Drug manufacturer", however, does
17 not include a wholesale distributor of drugs or a retail
18 pharmacy licensed under Illinois law.

19 "Federal Poverty Limit" or "FPL" means the Federal Poverty
20 Income Guidelines published annually in the Federal Register.

21 "Prescription drug" means any prescribed drug that may be
22 legally dispensed by an authorized pharmacy.

23 "Program" means the Illinois Prescription Drug Discount
24 Program created under this Act.

25 "Program administrator" means the entity that is chosen by
26 the Department to administer the program. The program

1 administrator may, in this case, be the Director or a Pharmacy
2 Benefits Manager (PBM) chosen to subcontract with the Director.

3 "Rules" includes rules adopted and forms prescribed by the
4 Department.

5 (Source: P.A. 94-86, eff. 1-1-06; 95-689, eff. 10-29-07.)