

HB4840



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4840

Introduced 2/3/2012, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.1

from Ch. 23, par. 5-4.1

Amends the Illinois Public Aid Code. Makes a technical change in a Section regarding Medicaid co-payments.

LRB097 17346 KTG 62547 b

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 5-4.1 as follows:

6 (305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

7 Sec. 5-4.1. Co-payments. The ~~The~~ Department may by rule
8 provide that recipients under any Article of this Code shall
9 pay a fee as a co-payment for services. Co-payments shall be
10 maximized to the extent permitted by federal law. Provided,
11 however, that any such rule must provide that no co-payment
12 requirement can exist for renal dialysis, radiation therapy,
13 cancer chemotherapy, or insulin, and other products necessary
14 on a recurring basis, the absence of which would be life
15 threatening, or where co-payment expenditures for required
16 services and/or medications for chronic diseases that the
17 Illinois Department shall by rule designate shall cause an
18 extensive financial burden on the recipient, and provided no
19 co-payment shall exist for emergency room encounters which are
20 for medical emergencies. The Department shall seek approval of
21 a State plan amendment that allows pharmacies to refuse to
22 dispense drugs in circumstances where the recipient does not
23 pay the required co-payment. In the event the State plan

1 amendment is rejected, co-payments may not exceed \$3 for brand
2 name drugs, \$1 for other pharmacy services other than for
3 generic drugs, and \$2 for physician services, dental services,
4 optical services and supplies, chiropractic services, podiatry
5 services, and encounter rate clinic services. There shall be no
6 co-payment for generic drugs. Co-payments may not exceed \$10
7 for emergency room use for a non-emergency situation as defined
8 by the Department by rule and subject to federal approval.
9 (Source: P.A. 96-1501, eff. 1-25-11; 97-74, eff. 6-30-11.)