

1 AN ACT in relation to aging.

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

4 Section 5. The Senior Citizens and Disabled Persons  
5 Property Tax Relief and Pharmaceutical Assistance Act is  
6 amended by changing Sections 3.15 and 4 and by adding  
7 Sections 3.18 and 3.19 as follows:

8 (320 ILCS 25/3.15) (from Ch. 67 1/2, par. 403.15)

9 Sec. 3.15. "Covered prescription drug" means (1) any  
10 cardiovascular agent or drug; (2) any insulin or other  
11 prescription drug used in the treatment of diabetes,  
12 including syringe and needles used to administer the insulin;  
13 (3) any prescription drug used in the treatment of arthritis,  
14 (4) beginning on January 1, 2001, any prescription drug used  
15 in the treatment of cancer, (5) beginning on January 1, 2001,  
16 any prescription drug used in the treatment of Alzheimer's  
17 disease, (6) beginning on January 1, 2001, any prescription  
18 drug used in the treatment of Parkinson's disease, (7)  
19 beginning on January 1, 2001, any prescription drug used in  
20 the treatment of glaucoma, and (8) beginning on January 1,  
21 2001, any prescription drug used in the treatment of lung  
22 disease and smoking related illnesses, and (9) beginning on  
23 January 1, 2002, any prescription drug used in the treatment  
24 of osteoporosis. The specific agents or products to be  
25 included under such categories shall be listed in a handbook  
26 to be prepared and distributed by the Department. The  
27 general types of covered prescription drugs shall be  
28 indicated by rule. The Department of Public Health shall  
29 promulgate a list of covered prescription drugs under this  
30 program that meet the definition of a narrow therapeutic  
31 index drug as described in subsection (f) of Section 4.

1 (Source: P.A. 91-699, eff. 1-1-01.)

2 (320 ILCS 25/3.18 new)

3 Sec. 3.18. Drug used in the treatment of. "Drug used in  
4 the treatment of" means (i) a drug used to treat a specified  
5 disease or illness or secondary conditions caused by the  
6 disease or illness and (ii) a drug used to treat side effects  
7 resulting from the use of a drug used to treat the disease or  
8 illness.

9 (320 ILCS 25/3.19 new)

10 Sec. 3.19. Disease. "Disease" means a chronic and  
11 possibly recurrent illness of long duration, as distinguished  
12 from an acute illness that is of short duration with recovery  
13 due to limited medical treatment. "Disease" also includes  
14 pneumonia, bronchitis, or other similar illnesses.

15 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

16 Sec. 4. Amount of Grant.

17 (a) In general. Any individual 65 years or older or any  
18 individual who will become 65 years old during the calendar  
19 year in which a claim is filed, and any surviving spouse of  
20 such a claimant, who at the time of death received or was  
21 entitled to receive a grant pursuant to this Section, which  
22 surviving spouse will become 65 years of age within the 24  
23 months immediately following the death of such claimant and  
24 which surviving spouse but for his or her age is otherwise  
25 qualified to receive a grant pursuant to this Section, and  
26 any disabled person whose annual household income is less  
27 than \$14,000 for grant years before the 1998 grant year, less  
28 than \$16,000 for the 1998 and 1999 grant years, and less than  
29 (i) \$21,218 for a household containing one person, (ii)  
30 \$28,480 for a household containing 2 persons, or (iii)  
31 \$35,740 for a household containing 3 or more persons for the

1     2000 grant year, and less than (i) \$28,000 for a household  
2     containing one person, (ii) \$35,000 for a household  
3     containing 2 persons, or (iii) \$42,000 for a household  
4     containing 3 or more persons for the 2001 grant year and  
5     thereafter and whose household is liable for payment of  
6     property taxes accrued or has paid rent constituting property  
7     taxes accrued and is domiciled in this State at the time he  
8     files his claim is entitled to claim a grant under this Act.  
9     With respect to claims filed by individuals who will become  
10    65 years old during the calendar year in which a claim is  
11    filed, the amount of any grant to which that household is  
12    entitled shall be an amount equal to 1/12 of the amount to  
13    which the claimant would otherwise be entitled as provided in  
14    this Section, multiplied by the number of months in which the  
15    claimant was 65 in the calendar year in which the claim is  
16    filed.

17       (b) Limitation. Except as otherwise provided in  
18    subsections (a) and (f) of this Section, the maximum amount  
19    of grant which a claimant is entitled to claim is the amount  
20    by which the property taxes accrued which were paid or  
21    payable during the last preceding tax year or rent  
22    constituting property taxes accrued upon the claimant's  
23    residence for the last preceding taxable year exceeds 3 1/2%  
24    of the claimant's household income for that year but in no  
25    event is the grant to exceed (i) \$700 less 4.5% of household  
26    income for that year for those with a household income of  
27    \$14,000 or less or (ii) \$70 if household income for that year  
28    is more than \$14,000.

29       (c) Public aid recipients. If household income in one  
30    or more months during a year includes cash assistance in  
31    excess of \$55 per month from the Department of Public Aid or  
32    the Department of Human Services (acting as successor to the  
33    Department of Public Aid under the Department of Human  
34    Services Act) which was determined under regulations of that

1 Department on a measure of need that included an allowance  
2 for actual rent or property taxes paid by the recipient of  
3 that assistance, the amount of grant to which that household  
4 is entitled, except as otherwise provided in subsection (a),  
5 shall be the product of (1) the maximum amount computed as  
6 specified in subsection (b) of this Section and (2) the ratio  
7 of the number of months in which household income did not  
8 include such cash assistance over \$55 to the number twelve.  
9 If household income did not include such cash assistance over  
10 \$55 for any months during the year, the amount of the grant  
11 to which the household is entitled shall be the maximum  
12 amount computed as specified in subsection (b) of this  
13 Section. For purposes of this paragraph (c), "cash  
14 assistance" does not include any amount received under the  
15 federal Supplemental Security Income (SSI) program.

16 (d) Joint ownership. If title to the residence is held  
17 jointly by the claimant with a person who is not a member of  
18 his household, the amount of property taxes accrued used in  
19 computing the amount of grant to which he is entitled shall  
20 be the same percentage of property taxes accrued as is the  
21 percentage of ownership held by the claimant in the  
22 residence.

23 (e) More than one residence. If a claimant has occupied  
24 more than one residence in the taxable year, he may claim  
25 only one residence for any part of a month. In the case of  
26 property taxes accrued, he shall pro rate 1/12 of the total  
27 property taxes accrued on his residence to each month that he  
28 owned and occupied that residence; and, in the case of rent  
29 constituting property taxes accrued, shall pro rate each  
30 month's rent payments to the residence actually occupied  
31 during that month.

32 (f) There is hereby established a program of  
33 pharmaceutical assistance to the aged and disabled which  
34 shall be administered by the Department in accordance with

1 this Act, to consist of payments to authorized pharmacies, on  
2 behalf of beneficiaries of the program, for the reasonable  
3 costs of covered prescription drugs. Each beneficiary who  
4 pays \$5 for an identification card shall pay no additional  
5 prescription costs. Each beneficiary who pays \$25 for an  
6 identification card shall pay \$3 per prescription. In  
7 addition, after a beneficiary receives \$2,000 in benefits  
8 during a State fiscal year through December 31, 2001 and, on  
9 and after January 1, 2002, after a beneficiary receives  
10 \$2,000 in benefits during a calendar year, that beneficiary  
11 shall also be charged 20% of the cost of each prescription  
12 for which payments are made by the program during the  
13 remainder of the fiscal year through December 31, 2001 and,  
14 on and after January 1, 2002, during the remainder of the  
15 calendar year. To become a beneficiary under this program a  
16 person must be: (1) (i) 65 years or older, or (ii) the  
17 surviving spouse of such a claimant, who at the time of death  
18 received or was entitled to receive benefits pursuant to this  
19 subsection, which surviving spouse will become 65 years of  
20 age within the 24 months immediately following the death of  
21 such claimant and which surviving spouse but for his or her  
22 age is otherwise qualified to receive benefits pursuant to  
23 this subsection, or (iii) disabled, and (2) is domiciled in  
24 this State at the time he files his or her claim, and (3) has  
25 a maximum household income of less than \$14,000 for grant  
26 years before the 1998 grant year, less than \$16,000 for the  
27 1998 and 1999 grant years, and less than (i) \$21,218 for a  
28 household containing one person, (ii) \$28,480 for a household  
29 containing 2 persons, or (iii) \$35,740 for a household  
30 containing 3 more persons for the 2000 grant year, and less  
31 than (i) \$28,000 for a household containing one person, (ii)  
32 \$35,000 for a household containing 2 persons, or (iii)  
33 \$42,000 for a household containing 3 or more persons for the  
34 2001 grant year and thereafter. In addition, each eligible

1 person must (1) obtain an identification card from the  
2 Department, (2) at the time the card is obtained, sign a  
3 statement assigning to the State of Illinois benefits which  
4 may be otherwise claimed under any private insurance plans,  
5 (3) present the identification card to the dispensing  
6 pharmacist.

7 Whenever a generic equivalent for a covered prescription  
8 drug is available, the Department shall reimburse only for  
9 the reasonable costs of the generic equivalent, less the  
10 co-pay established in this Section, unless (i) the covered  
11 prescription drug contains one or more ingredients defined as  
12 a narrow therapeutic index drug at 21 CFR 320.33, (ii) the  
13 prescriber indicates on the face of the prescription "brand  
14 medically necessary", and (iii) the prescriber specifies that  
15 a substitution is not permitted. When issuing an oral  
16 prescription for covered prescription medication described in  
17 item (i) of this paragraph, the prescriber shall stipulate  
18 "brand medically necessary" and that a substitution is not  
19 permitted. If the covered prescription drug and its  
20 authorizing prescription do not meet the criteria listed  
21 above, the beneficiary may purchase the non-generic  
22 equivalent of the covered prescription drug by paying the  
23 difference between the generic cost and the non-generic cost  
24 plus the beneficiary co-pay.

25 Any person otherwise eligible for pharmaceutical  
26 assistance under this Act whose covered drugs are covered by  
27 any public program for assistance in purchasing any covered  
28 prescription drugs shall be ineligible for assistance under  
29 this Act to the extent such costs are covered by such other  
30 plan.

31 The fee to be charged by the Department for the  
32 identification card shall be equal to \$5 per coverage year  
33 for persons below the official poverty line as defined by the  
34 United States Department of Health and Human Services and \$25

1 per coverage year for all other persons. On and before  
2 December 31, 2001, coverage under this pharmaceutical  
3 assistance program shall begin on the date of application  
4 approval and be in effect for 12 months. On and after January  
5 1, 2002, coverage under this pharmaceutical assistance  
6 program shall be in effect on a calendar year basis.

7 In the event that 2 or more persons are eligible for any  
8 benefit under this Act, and are members of the same  
9 household, (1) each such person shall be entitled to  
10 participate in the pharmaceutical assistance program,  
11 provided that he or she meets all other requirements imposed  
12 by this subsection and (2) each participating household  
13 member contributes the fee required for that person by the  
14 preceding paragraph for the purpose of obtaining an  
15 identification card.

16 (Source: P.A. 90-650, eff. 7-27-98; 91-357, eff. 7-29-99;  
17 91-699, eff. 1-1-01.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.