

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 Section 4 as follows:

7 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

8 Sec. 4. Amount of Grant.

9 (a) In general. Any individual 65 years or older or any
10 individual who will become 65 years old during the calendar
11 year in which a claim is filed, and any surviving spouse of
12 such a claimant, who at the time of death received or was
13 entitled to receive a grant pursuant to this Section, which
14 surviving spouse will become 65 years of age within the 24
15 months immediately following the death of such claimant and
16 which surviving spouse but for his or her age is otherwise
17 qualified to receive a grant pursuant to this Section, and
18 any disabled person whose annual household income is less
19 than \$14,000 for grant years before the 1998 grant year, less
20 than \$16,000 for the 1998 and 1999 grant years, and less than
21 (i) \$21,218 for a household containing one person, (ii)
22 \$28,480 for a household containing 2 persons, or (iii)
23 \$35,740 for a household containing 3 or more persons for the
24 2000 grant year and thereafter, or an individual meeting the
25 age requirements of this subsection whose property taxes
26 accrued equal more than 25% of the result obtained by
27 subtracting all of the individual's taxes and unreimbursed
28 medical expenses from the individual's total income, and
29 whose household is liable for payment of property taxes
30 accrued or has paid rent constituting property taxes accrued
31 and is domiciled in this State at the time he files his claim

1 is entitled to claim a grant under this Act. With respect to
2 claims filed by individuals who will become 65 years old
3 during the calendar year in which a claim is filed, the
4 amount of any grant to which that household is entitled shall
5 be an amount equal to 1/12 of the amount to which the
6 claimant would otherwise be entitled as provided in this
7 Section, multiplied by the number of months in which the
8 claimant was 65 in the calendar year in which the claim is
9 filed.

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

22 (c) Public aid recipients. If household income in one
23 or more months during a year includes cash assistance in
24 excess of \$55 per month from the Department of Public Aid or
25 the Department of Human Services (acting as successor to the
26 Department of Public Aid under the Department of Human
27 Services Act) which was determined under regulations of that
28 Department on a measure of need that included an allowance
29 for actual rent or property taxes paid by the recipient of
30 that assistance, the amount of grant to which that household
31 is entitled, except as otherwise provided in subsection (a),
32 shall be the product of (1) the maximum amount computed as
33 specified in subsection (b) of this Section and (2) the ratio
34 of the number of months in which household income did not

1 include such cash assistance over \$55 to the number twelve.
2 If household income did not include such cash assistance over
3 \$55 for any months during the year, the amount of the grant
4 to which the household is entitled shall be the maximum
5 amount computed as specified in subsection (b) of this
6 Section. For purposes of this paragraph (c), "cash
7 assistance" does not include any amount received under the
8 federal Supplemental Security Income (SSI) program.

9 (d) Joint ownership. If title to the residence is held
10 jointly by the claimant with a person who is not a member of
11 his household, the amount of property taxes accrued used in
12 computing the amount of grant to which he is entitled shall
13 be the same percentage of property taxes accrued as is the
14 percentage of ownership held by the claimant in the
15 residence.

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

25 (f) There is hereby established a program of
26 pharmaceutical assistance to the aged and disabled which
27 shall be administered by the Department in accordance with
28 this Act, to consist of payments to authorized pharmacies, on
29 behalf of beneficiaries of the program, for the reasonable
30 costs of covered prescription drugs. Each beneficiary who
31 pays \$5 for an identification card shall pay no additional
32 prescription costs. Each beneficiary who pays \$25 for an
33 identification card shall pay \$3 per prescription. In
34 addition, after a beneficiary receives \$2,000 in benefits

1 during a State fiscal year, that beneficiary shall also be
2 charged 20% of the cost of each prescription for which
3 payments are made by the program during the remainder of the
4 fiscal year. To become a beneficiary under this program a
5 person must be: (1) (i) 65 years or older, or (ii) the
6 surviving spouse of such a claimant, who at the time of death
7 received or was entitled to receive benefits pursuant to this
8 subsection, which surviving spouse will become 65 years of
9 age within the 24 months immediately following the death of
10 such claimant and which surviving spouse but for his or her
11 age is otherwise qualified to receive benefits pursuant to
12 this subsection, or (iii) disabled, and (2) is domiciled in
13 this State at the time he files his or her claim, and (3) has
14 a maximum household income of less than \$14,000 for grant
15 years before the 1998 grant year, less than \$16,000 for the
16 1998 and 1999 grant years, and less than (i) \$21,218 for a
17 household containing one person, (ii) \$28,480 for a household
18 containing 2 persons, or (iii) \$35,740 for a household
19 containing 3 more persons for the 2000 grant year and
20 thereafter. In addition, each eligible person must (1) obtain
21 an identification card from the Department, (2) at the time
22 the card is obtained, sign a statement assigning to the State
23 of Illinois benefits which may be otherwise claimed under any
24 private insurance plans, (3) present the identification card
25 to the dispensing pharmacist.

26 Whenever a generic equivalent for a covered prescription
27 drug is available, the Department shall reimburse only for
28 the reasonable costs of the generic equivalent, less the
29 co-pay established in this Section, unless (i) the covered
30 prescription drug contains one or more ingredients defined as
31 a narrow therapeutic index drug at 21 CFR 320.33, (ii) the
32 prescriber indicates on the face of the prescription "brand
33 medically necessary", and (iii) the prescriber specifies that
34 a substitution is not permitted. When issuing an oral

1 prescription for covered prescription medication described in
2 item (i) of this paragraph, the prescriber shall stipulate
3 "brand medically necessary" and that a substitution is not
4 permitted. If the covered prescription drug and its
5 authorizing prescription do not meet the criteria listed
6 above, the beneficiary may purchase the non-generic
7 equivalent of the covered prescription drug by paying the
8 difference between the generic cost and the non-generic cost
9 plus the beneficiary co-pay.

10 Any person otherwise eligible for pharmaceutical
11 assistance under this Act whose covered drugs are covered by
12 any public program for assistance in purchasing any covered
13 prescription drugs shall be ineligible for assistance under
14 this Act to the extent such costs are covered by such other
15 plan.

16 The fee to be charged by the Department for the
17 identification card shall be equal to \$5 for persons below
18 the official poverty line as defined by the United States
19 Department of Health and Human Services and \$25 for all other
20 persons.

21 In the event that 2 or more persons are eligible for any
22 benefit under this Act, and are members of the same
23 household, (1) each such person shall be entitled to
24 participate in the pharmaceutical assistance program,
25 provided that he or she meets all other requirements imposed
26 by this subsection and (2) each participating household
27 member contributes the fee required for that person by the
28 preceding paragraph for the purpose of obtaining an
29 identification card.

30 (Source: P.A. 90-650, eff. 7-27-98; 91-357, eff. 7-29-99;
31 91-699, eff. 1-1-01.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.