

1 AN ACT in relation to 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 adding Section 5-5.12a as follows:

6 (305 ILCS 5/5-5.12a new)

7 Sec. 5-5.12a. Pharmacies; prescription rates for Medicare
8 beneficiaries.

9 (a) A pharmacy must comply with this Section as a
10 condition of the pharmacy's participation in the medical
11 assistance program under this Article.

12 (b) When a Medicare beneficiary or someone on a Medicare
13 beneficiary's behalf presents a valid prescription for
14 medication for the Medicare beneficiary to a pharmacy and
15 also presents the Medicare beneficiary's Medicare card, the
16 pharmacy must charge for the prescribed medication as
17 follows:

18 (1) The pharmacy may not charge a price for the
19 medication that exceeds the reimbursement rate for the
20 medication that is otherwise paid to the pharmacy by the
21 Illinois Department under this Article.

22 (2) The pharmacy may charge an additional amount,
23 as set by the Illinois Department by rule, as a
24 dispensing fee. This fee may not exceed the dispensing
25 fee charged to recipients of medical assistance under
26 this Article for the same medication.

27 The prescription medication price limitations set forth
28 in this subsection do not apply to over-the-counter
29 medications or to compounded prescriptions.

30 (c) The Illinois Department shall monitor pharmacies'
31 compliance with this Section and report its findings each

1 year to the General Assembly. The report must include, but
2 need not be limited to, information concerning pharmacies
3 that discontinue participation in the medical assistance
4 program under this Article and the reasons given by those
5 pharmacies for discontinuing their participation.

6 (d) This Section is repealed on January 1, 2004.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.