

# SB0646



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB0646

Introduced 1/31/2019, by Sen. John J. Cullerton

#### 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.

LRB101 04390 KTG 49398 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, except that  
11 the Department shall impose a co-pay of \$2 on generic drugs.  
12 Provided, however, that any such rule must provide that no  
13 co-payment requirement can exist for renal dialysis, radiation  
14 therapy, cancer chemotherapy, or insulin, and other products  
15 necessary on a recurring basis, the absence of which would be  
16 life threatening, or where co-payment expenditures for  
17 required services and/or medications for chronic diseases that  
18 the Illinois Department shall by rule designate shall cause an  
19 extensive financial burden on the recipient, and provided no  
20 co-payment shall exist for emergency room encounters which are  
21 for medical emergencies. The Department shall seek approval of  
22 a State plan amendment that allows pharmacies to refuse to  
23 dispense drugs in circumstances where the recipient does not

1 pay the required co-payment. Co-payments may not exceed \$10 for  
2 emergency room use for a non-emergency situation as defined by  
3 the Department by rule and subject to federal approval.

4 (Source: P.A. 96-1501, eff. 1-25-11; 97-74, eff. 6-30-11;  
5 97-689, eff. 6-14-12.)