

HB1310



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1310

by Rep. Michael J. Madigan

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 03526 KTG 48534 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.)