

# HB1419



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB1419

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

#### 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.

LRB102 03435 KTG 13448 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 federally approved fee as a co-payment for services. No  
10 co-payment requirement can exist for renal dialysis, radiation  
11 therapy, cancer chemotherapy, or insulin, and other products  
12 necessary on a recurring basis, the absence of which would be  
13 life threatening, or where co-payment expenditures for  
14 required services and/or medications for chronic diseases that  
15 the Illinois Department shall by rule designate shall cause an  
16 extensive financial burden on the recipient, and provided no  
17 co-payment shall exist for emergency room encounters which are  
18 for medical emergencies. The Department shall seek approval of  
19 a State plan amendment that allows pharmacies to refuse to  
20 dispense drugs in circumstances where the recipient does not  
21 pay the required co-payment. Co-payments may not exceed \$10  
22 for emergency room use for a non-emergency situation as  
23 defined by the Department by rule and subject to federal

1 approval.

2 (Source: P.A. 101-209, eff. 8-5-19.)