



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1682

Introduced 2/26/2021, by Sen. Scott M. Bennett

SYNOPSIS AS INTRODUCED:

225 ILCS 85/41
225 ILCS 85/43 new

Amends the Pharmacy Practice Act. Removes a provision limiting consumers to 10 requests for disclosure of the current usual and customary retail price of prescription drugs or medical devices for which the person making the request has a prescription. Provides that a pharmacy must post a notice informing customers that they may request, in person or by telephone, the current usual and customary retail price of any brand or generic prescription drug or medical device that the pharmacy offers for sale to the public. Provides that a pharmacist or his or her authorized employee must disclose to the consumer at the point of sale the current pharmacy retail price for each prescription medication the consumer intends to purchase. If the consumer's cost-sharing amount for a prescription exceeds the current pharmacy retail price, the pharmacist or his or her authorized employee must disclose to the consumer that the pharmacy retail price is less than the patient's cost-sharing amount.

LRB102 16425 SPS 21816 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act is amended by
5 changing Section 41 and by adding Section 43 as follows:

6 (225 ILCS 85/41)

7 (Section scheduled to be repealed on January 1, 2023)

8 Sec. 41. Current usual and customary retail price
9 disclosure.

10 (a) Upon request, a pharmacy must disclose the current
11 usual and customary retail price of any brand or generic
12 prescription drug or medical device that the pharmacy offers
13 for sale to the public. This disclosure requirement applies
14 only to requests made in person or by telephone ~~for the prices~~
15 ~~of no more than 10 prescription drugs or medical devices for~~
16 ~~which the person making the request has a prescription.~~ Prices
17 quoted are for informational purposes only and are valid only
18 on the day of inquiry. The requests must specify the name,
19 strength and quantity of the prescription drug.

20 (b) A pharmacy must post a notice informing customers that
21 they may request, in person or by telephone, the current usual
22 and customary retail price of any brand or generic
23 prescription drug or medical device that the pharmacy offers

1 for sale to the public.

2 (Source: P.A. 94-459, eff. 1-1-06.)

3 (225 ILCS 85/43 new)

4 Sec. 43. Disclosure of pharmacy retail price.

5 (a) For the purpose of this Section:

6 "Pharmacy retail price" means the price an individual
7 without prescription drug coverage or not using any other
8 prescription medication benefit or discount would pay at a
9 retail pharmacy, not including a pharmacist dispensing fee.

10 "Cost-sharing amount" means the amount owed by a
11 policyholder under the terms of his or her health insurance
12 policy or as required by a pharmacy benefit manager as defined
13 in subsection (a) of Section 513b1 of the Illinois Insurance
14 Code.

15 (b) A pharmacist or his or her authorized employee must
16 disclose to the consumer at the point of sale the current
17 pharmacy retail price for each prescription medication the
18 consumer intends to purchase. If the consumer's cost-sharing
19 amount for a prescription exceeds the current pharmacy retail
20 price, the pharmacist or his or her authorized employee must
21 disclose to the consumer that the pharmacy retail price is
22 less than the patient's cost-sharing amount.