

1 AN ACT concerning health.

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

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-730 as follows:

7 (20 ILCS 2310/2310-730 new)

8 Sec. 2310-730. Nonopioid alternatives pamphlet. The
9 Department of Public Health shall develop and publish on its
10 website an educational pamphlet regarding the use of nonopioid
11 alternatives for the treatment of acute nonoperative, acute
12 perioperative, subacute, or chronic pain. The pamphlet shall,
13 at a minimum, conform with the most current CDC Clinical
14 Practice Guideline for Prescribing Opioids for Pain published
15 by the Centers for Disease Control and Prevention and shall
16 include:

17 (1) information on available nonopioid alternatives
18 for the treatment of pain, including available nonopioid
19 medicinal drugs or drug products and nonpharmacological
20 therapies; and

21 (2) the advantages and disadvantages of the use of
22 nonopioid alternatives.

1 Section 10. The Illinois Insurance Code is amended by
2 adding Section 370c.3 as follows:

3 (215 ILCS 5/370c.3 new)

4 Sec. 370c.3. Coverage for nonopioid medications; pain
5 relief parity.

6 (a) In this Section, "health insurance issuer" has the
7 meaning set forth in Section 5 of the Illinois Health
8 Insurance Portability and Accountability Act.

9 (b) Notwithstanding any provision of law to the contrary,
10 when a licensed health care practitioner prescribes a
11 nonopioid medication for the treatment of acute pain, it shall
12 be unlawful for a health insurance issuer to deny coverage of
13 the nonopioid prescription drug in favor of an opioid
14 prescription drug or to require the patient to try an opioid
15 prescription drug prior to providing coverage of the nonopioid
16 prescription drug.

17 (c) In establishing and maintaining its drug formulary, a
18 health insurance issuer shall ensure that no nonopioid drug
19 approved by the United States Food and Drug Administration for
20 the treatment or management of pain shall be disadvantaged or
21 discouraged, with respect to coverage or cost sharing,
22 relative to any opioid or narcotic drug for the treatment or
23 management of pain on the health insurance issuer's drug
24 formulary, where impermissible disadvantaging or
25 discouragement includes, without limitation: imposing more

1 restrictive coverage criteria on any such nonopioid drug than
2 the least restrictive coverage criteria imposed on an opioid
3 or narcotic drug; establishing more restrictive or more
4 extensive utilization controls, including, but not limited to,
5 more restrictive or more extensive prior authorization or step
6 therapy requirements, for such nonopioid drug than the least
7 restrictive or extensive utilization controls applicable to
8 any such opioid or narcotic drug; or, if the health insurance
9 issuer maintains a drug formulary grouped into tiers for the
10 purposes of determining cost sharing, placing any such
11 nonopioid drug on a tier that requires a cost-sharing
12 responsibility that exceeds the lowest cost-sharing
13 responsibility required for any opioid or narcotic drug on the
14 drug formulary. This subsection does not preclude opioid drugs
15 from being preferred over other opioid drugs or nonopioid
16 drugs from being preferred over other nonopioid drugs.

17 Section 15. The Illinois Public Aid Code is amended by
18 adding Section 5-55 as follows:

19 (305 ILCS 5/5-55 new)

20 Sec. 5-55. Coverage for nonopioid medications; pain relief
21 parity.

22 (a) Required coverage for nonopioid medications.
23 Notwithstanding any provision of law to the contrary, whenever
24 a licensed health care practitioner prescribes a nonopioid

1 medication for the treatment of acute pain, neither the
2 Department nor a managed care organization contracted with the
3 Department shall deny coverage of the nonopioid prescription
4 drug in favor of an opioid prescription drug or require a
5 patient to try an opioid prescription drug prior to providing
6 coverage of the nonopioid prescription drug.

7 (b) Pain relief parity. In establishing and maintaining
8 the Illinois Medicaid Preferred Drug List, the Department
9 shall ensure that nonopioid drugs preferred on the
10 Department's preferred drug list, and approved by the U.S.
11 Food and Drug Administration, for the treatment or management
12 of pain shall not be disadvantaged or discouraged with respect
13 to coverage relative to any opioid or narcotic drug for the
14 treatment or management of pain.

15 Section 99. Effective date. Sections 10 and 15 of this Act
16 take effect January 1, 2026.