

1 AMENDMENT TO HOUSE BILL 784

2 AMENDMENT NO. _____. Amend House Bill 784 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Senior Citizens and Disabled Persons
5 Property Tax Relief and Pharmaceutical Assistance Act is
6 amended by changing Section 4 as follows:

7 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

8 Sec. 4. Amount of Grant.

9 (a) In general. Any individual 65 years or older or any
10 individual who will become 65 years old during the calendar
11 year in which a claim is filed, and any surviving spouse of
12 such a claimant, who at the time of death received or was
13 entitled to receive a grant pursuant to this Section, which
14 surviving spouse will become 65 years of age within the 24
15 months immediately following the death of such claimant and
16 which surviving spouse but for his or her age is otherwise
17 qualified to receive a grant pursuant to this Section, and
18 any disabled person whose annual household income is less
19 than \$14,000 for grant years before the 1998 grant year, less
20 than \$16,000 for the 1998 and 1999 grant years, and less than
21 (i) \$21,218 for a household containing one person, (ii)
22 \$28,480 for a household containing 2 persons, or (iii)

1 \$35,740 for a household containing 3 or more persons for the
2 2000 grant year and thereafter and whose household is liable
3 for payment of property taxes accrued or has paid rent
4 constituting property taxes accrued and is domiciled in this
5 State at the time he or she files his or her claim is
6 entitled to claim a grant under this Act. With respect to
7 claims filed by individuals who will become 65 years old
8 during the calendar year in which a claim is filed, the
9 amount of any grant to which that household is entitled shall
10 be an amount equal to 1/12 of the amount to which the
11 claimant would otherwise be entitled as provided in this
12 Section, multiplied by the number of months in which the
13 claimant was 65 in the calendar year in which the claim is
14 filed.

15 (b) Limitation. Except as otherwise provided in
16 subsections (a) and (f) of this Section, the maximum amount
17 of grant which a claimant is entitled to claim is the amount
18 by which the property taxes accrued which were paid or
19 payable during the last preceding tax year or rent
20 constituting property taxes accrued upon the claimant's
21 residence for the last preceding taxable year exceeds 3 1/2%
22 of the claimant's household income for that year but in no
23 event is the grant to exceed (i) \$700 less 4.5% of household
24 income for that year for those with a household income of
25 \$14,000 or less or (ii) \$70 if household income for that year
26 is more than \$14,000.

27 (c) Public aid recipients. If household income in one
28 or more months during a year includes cash assistance in
29 excess of \$55 per month from the Department of Public Aid or
30 the Department of Human Services (acting as successor to the
31 Department of Public Aid under the Department of Human
32 Services Act) which was determined under regulations of that
33 Department on a measure of need that included an allowance
34 for actual rent or property taxes paid by the recipient of

1 that assistance, the amount of grant to which that household
2 is entitled, except as otherwise provided in subsection (a),
3 shall be the product of (1) the maximum amount computed as
4 specified in subsection (b) of this Section and (2) the ratio
5 of the number of months in which household income did not
6 include such cash assistance over \$55 to the number twelve.
7 If household income did not include such cash assistance over
8 \$55 for any months during the year, the amount of the grant
9 to which the household is entitled shall be the maximum
10 amount computed as specified in subsection (b) of this
11 Section. For purposes of this paragraph (c), "cash
12 assistance" does not include any amount received under the
13 federal Supplemental Security Income (SSI) program.

14 (d) Joint ownership. If title to the residence is held
15 jointly by the claimant with a person who is not a member of
16 his or her household, the amount of property taxes accrued
17 used in computing the amount of grant to which he or she is
18 entitled shall be the same percentage of property taxes
19 accrued as is the percentage of ownership held by the
20 claimant in the residence.

21 (e) More than one residence. If a claimant has occupied
22 more than one residence in the taxable year, he or she may
23 claim only one residence for any part of a month. In the
24 case of property taxes accrued, he or she shall prorate 1/12
25 of the total property taxes accrued on his or her residence
26 to each month that he or she owned and occupied that
27 residence; and, in the case of rent constituting property
28 taxes accrued, shall prorate each month's rent payments to
29 the residence actually occupied during that month.

30 (f) There is hereby established a program of
31 pharmaceutical assistance to the aged and disabled which
32 shall be administered by the Department in accordance with
33 this Act, to consist of payments to authorized pharmacies, on
34 behalf of beneficiaries of the program, for the reasonable

1 costs of covered prescription drugs. Each beneficiary who
2 pays \$5 for an identification card shall pay no additional
3 prescription costs. Each beneficiary who pays \$25 for an
4 identification card shall pay \$3 per prescription. In
5 addition, after a beneficiary receives \$2,000 in benefits
6 during a State fiscal year, that beneficiary shall also be
7 charged 20% of the cost of each prescription for which
8 payments are made by the program during the remainder of the
9 fiscal year. To become a beneficiary under this program a
10 person must: (1) be (i) 65 years of age or older, or (ii) the
11 surviving spouse of such a claimant, who at the time of death
12 received or was entitled to receive benefits pursuant to this
13 subsection, which surviving spouse will become 65 years of
14 age within the 24 months immediately following the death of
15 such claimant and which surviving spouse but for his or her
16 age is otherwise qualified to receive benefits pursuant to
17 this subsection, or (iii) disabled, and (2) be domiciled in
18 this State at the time he or she files his or her claim, and
19 (3) have a maximum household income of less than \$14,000 for
20 grant years before the 1998 grant year, less than \$16,000 for
21 the 1998 and 1999 grant years, and less than (i) \$21,218 for
22 a household containing one person, (ii) \$28,480 for a
23 household containing 2 persons, or (iii) \$35,740 for a
24 household containing 3 more persons for the 2000 grant year
25 and thereafter. In addition, each eligible person must (1)
26 obtain an identification card from the Department, (2) at the
27 time the card is obtained, sign a statement assigning to the
28 State of Illinois benefits which may be otherwise claimed
29 under any private insurance plans, and (3) present the
30 identification card to the dispensing pharmacist.

31 The Department shall adopt rules specifying all
32 eligibility and participation requirements for the
33 pharmaceutical assistance program, including copayment
34 amounts, identification card fees, expenditure limits, and

1 the benefit threshold after which a 20% charge is imposed on
2 the cost of each prescription, to be in effect on and after
3 July 1, 2004. To the extent practicable, those requirements
4 shall be commensurate with the requirements provided in rules
5 adopted by the Department of Public Aid to implement the
6 pharmacy assistance program under Section 5-5.12a of the
7 Illinois Public Aid Code.

8 Whenever a generic equivalent for a covered prescription
9 drug is available, the Department shall reimburse only for
10 the reasonable costs of the generic equivalent, less the
11 co-pay established in this Section, unless (i) the covered
12 prescription drug contains one or more ingredients defined as
13 a narrow therapeutic index drug at 21 CFR 320.33, (ii) the
14 prescriber indicates on the face of the prescription "brand
15 medically necessary", and (iii) the prescriber specifies that
16 a substitution is not permitted. When issuing an oral
17 prescription for covered prescription medication described in
18 item (i) of this paragraph, the prescriber shall stipulate
19 "brand medically necessary" and that a substitution is not
20 permitted. If the covered prescription drug and its
21 authorizing prescription do not meet the criteria listed
22 above, the beneficiary may purchase the non-generic
23 equivalent of the covered prescription drug by paying the
24 difference between the generic cost and the non-generic cost
25 plus the beneficiary co-pay.

26 Any person otherwise eligible for pharmaceutical
27 assistance under this Act whose covered drugs are covered by
28 any public program for assistance in purchasing any covered
29 prescription drugs shall be ineligible for assistance under
30 this Act to the extent such costs are covered by such other
31 plan.

32 The fee to be charged by the Department for the
33 identification card shall be equal to \$5 per coverage year
34 for persons below the official poverty line as defined by the

1 United States Department of Health and Human Services and \$25
2 per coverage year for all other persons.

3 In the event that 2 or more persons are eligible for any
4 benefit under this Act, and are members of the same
5 household, (1) each such person shall be entitled to
6 participate in the pharmaceutical assistance program,
7 provided that he or she meets all other requirements imposed
8 by this subsection and (2) each participating household
9 member contributes the fee required for that person by the
10 preceding paragraph for the purpose of obtaining an
11 identification card.

12 (Source: P.A. 91-357, eff. 7-29-99; 91-699, eff. 1-1-01;
13 92-131, eff. 7-23-01; 92-519, eff. 1-1-02; 92-651, eff.
14 7-11-02.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."