

1 AN ACT concerning insurance.

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

4 Section 5. The Health Maintenance Organization Act is  
5 amended by changing Section 2-3.1 as follows:

6 (215 ILCS 125/2-3.1) (from Ch. 111 1/2, par. 1405.1)

7 Sec. 2-3.1. Dispensing of drug products.

8 (a) No health maintenance organization shall cause to be  
9 dispensed any drug other than that prescribed by a physician.  
10 Nothing herein shall prohibit drug product selection under  
11 Section 3.14 of the "Illinois Food, Drug and Cosmetic Act",  
12 approved June 29, 1967, as amended, and in accordance with  
13 the requirements of Section 25 of the "Pharmacy Practice Act  
14 of 1987", approved September 24, 1987, as amended.

15 (b) No health maintenance organization shall include in  
16 any contract with any physician providing for health care  
17 services any provision requiring such physician to prescribe  
18 any particular drug product to any enrollee unless the  
19 enrollee is a hospital in-patient where such drug product may  
20 be permitted pursuant to written guidelines or procedures  
21 previously established by a pharmaceutical or therapeutics  
22 committee of a hospital, approved by the medical staff of  
23 such hospital and specifically approved, in writing, by the  
24 prescribing physician for his or her patients in such  
25 hospital, and unless it is compounded, dispensed or sold by a  
26 pharmacy located in a hospital, as defined in Section 3 of  
27 the Hospital Licensing Act or a hospital organized under "An  
28 Act in relation to the founding and operation of the  
29 University of Illinois Hospital and the conduct of University  
30 of Illinois health care programs", approved July 3, 1931, as  
31 amended.

1 (Source: P.A. 85-1246.)