



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/6/2004, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

215 ILCS 125/2-3.1

from Ch. 111 1/2, par. 1405.1

Amends the Health Maintenance Organization Act. Adds a caption to a Section concerning drug products.

LRB093 16932 DRJ 42589 b

1 AN ACT in relations to health maintenance organizations.

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 the
13 requirements of Section 25 of the "Pharmacy Practice Act of
14 1987", approved September 24, 1987, as amended.

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

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