

1 AN ACT in relation to public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-5.12b as follows:

6 (305 ILCS 5/5-5.12b new)

7 Sec. 5-5.12b. Pharmacies; prescription rates for Medicare  
8 beneficiaries.

9 (a) A pharmacy must comply with this Section as a  
10 condition of the pharmacy's participation in the medical  
11 assistance program under this Article.

12 (b) When a Medicare beneficiary or someone on a Medicare  
13 beneficiary's behalf presents a valid prescription for  
14 medication for the Medicare beneficiary to a pharmacy and  
15 also presents the Medicare beneficiary's Medicare card, the  
16 pharmacy must charge for the prescribed medication as  
17 follows:

18 (1) The pharmacy may not charge a price for the  
19 medication that exceeds the reimbursement rate for the  
20 medication that is otherwise paid to the pharmacy by the  
21 Department of Public Aid under this Article.

22 (2) The pharmacy may charge an additional amount,  
23 as set by the Department of Public Aid by rule, as a  
24 dispensing fee. This fee may not exceed the dispensing  
25 fee charged to recipients of medical assistance under  
26 this Article for the same medication.

27 The prescription medication price limitations set forth  
28 in this subsection do not apply to over-the-counter  
29 medications or to compounded prescriptions.

30 (c) The Department of Public Aid shall monitor  
31 pharmacies' compliance with this Section and report its

1 findings each year to the General Assembly. The report must  
2 include, but need not be limited to, information concerning  
3 pharmacies that discontinue participation in the medical  
4 assistance program under this Article and the reasons given  
5 by those pharmacies for discontinuing their participation.

6 (d) This Section is repealed on January 1, 2006.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.