



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1082

Introduced 2/8/2007, by Rep. Aaron Schock

SYNOPSIS AS INTRODUCED:

New Act

Creates the Prescription Drug Price Finder Act. Requires the Department of Healthcare and Family Services to establish and maintain an online clearinghouse to be known as the State of Illinois Prescription Drug Price Finder. Provides that the Drug Price Finder shall identify the 50 most commonly prescribed drugs in Illinois and their usual and customary prices. Provides that any licensed pharmacist or pharmacy in the State may participate in the Drug Price Finder program. Sets forth the information that must be made available on the Drug Price Finder Web site, and requires the Department of Healthcare and Family Services to update the information contained on the Drug Price Finder Web site at least every 2 months. Requires that the Drug Price Finder program be fully operational within 9 months after the effective date of the Act. Requires the Department of Healthcare and Family Services to evaluate the Drug Price Finder program after 18 months and report its findings and recommendations to the General Assembly. Effective immediately.

LRB095 09460 DRJ 29658 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the
5 Prescription Drug Price Finder Act.

6 Section 5. State of Illinois Prescription Drug Price
7 Finder. The Department of Healthcare and Family Services shall
8 establish and maintain an online clearinghouse to be known as
9 the State of Illinois Prescription Drug Price Finder ("the Drug
10 Price Finder"). The Department shall maintain the Drug Price
11 Finder as part of the Department's official web site as
12 provided in Section 20. The Drug Price Finder shall identify
13 the 50 most commonly prescribed drugs in Illinois and their
14 usual and customary prices, as determined by the Department as
15 provided in Section 10.

16 Section 10. Drug price reporting.

17 (a) The Department of Healthcare and Family Services shall
18 acquire and compile the information necessary to carry out the
19 provisions of this Act. The Department shall use information
20 reported in connection with pharmacies' requests for
21 reimbursement under the medical assistance program under
22 Article V of the Illinois Public Aid Code.

1 (b) For purposes of this Act, a pharmacy's "usual and
2 customary" price for a drug means the price that a cash-paying
3 consumer without insurance to cover the cost of the drug would
4 pay for the drug. The "usual and customary" price does not
5 include any discount that the pharmacy may offer to senior
6 citizens or to other persons.

7 (c) From the information reported by pharmacies under this
8 Act, the Department of Healthcare and Family Services shall
9 compile a list of the 50 most commonly prescribed drugs and
10 their usual and customary prices.

11 Section 15. Participating pharmacies. Any licensed
12 pharmacist or pharmacy in the State may participate in the Drug
13 Price Finder program. Pharmacies that do not participate in the
14 program of medical assistance under Article V of the Illinois
15 Public Aid Code ("non-Medicaid pharmacies") may voluntarily
16 submit their usual and customary prices of prescription drugs
17 to the Department of Healthcare and Family Services. The
18 Department of Financial and Professional Regulation shall make
19 available to the Department of Healthcare and Family Services
20 the licensure status of non-Medicaid pharmacies participating
21 in the Drug Price Finder program.

22 Section 20. Drug Price Finder web site.

23 (a) The Drug Price Finder web site must contain at least
24 the following information for each of the 50 most commonly used

1 prescription drugs as determined by the Department of
2 Healthcare and Family Services as provided in Section 10:

3 (1) The drug's brand name.

4 (2) The drug's usual and customary price.

5 (3) The drug's generic name.

6 (4) The drug's strength, based on a typical 30-day
7 supply.

8 (5) The quantity of the drug prescribed, based on a
9 typical 30-day supply.

10 (6) The condition or conditions for which the drug is
11 typically prescribed as treatment.

12 (b) The Drug Price Finder web site must be interactive and
13 must allow a user to perform a variety of searches to obtain
14 information concerning a particular prescription drug
15 (including different drug strengths, if applicable), a
16 particular pharmacy, or a particular geographic location in the
17 State (including searches by county, municipality, or zip
18 code). For each prescription drug listed in the Drug Price
19 Finder, the search results shall identify the pharmacies that
20 dispensed that drug during the applicable period and each such
21 pharmacy's usual and customary price for the drug during that
22 period. For each prescription drug listed in the Drug Price
23 Finder, the web site must allow a user to access the
24 information specified in subsection (a) of this Section.

25 (c) The Department of Healthcare and Family Services shall
26 update the information contained on the Drug Price Finder web

1 site at least every 2 months and shall state on the web site
2 the date of the last update.

3 (d) The web site shall contain a disclaimer stating that
4 prescription drug prices may vary if the individual purchasing
5 a prescription drug is eligible for a discounted price under a
6 discount card or program. The disclaimer may also contain a
7 statement that the prices might not be the current prices
8 charged for a prescription and that more current pricing
9 information may be available from a pharmacy.

10 (e) The web site shall include links to other web sites,
11 including other State-sponsored prescription drug assistance
12 web sites and, if available, pharmacy web sites providing drug
13 pricing information.

14 Section 25. Operation of program; evaluation and report.

15 (a) The Department of Healthcare and Family Services must
16 ensure that the Drug Price Finder program is fully operational
17 within 9 months after the effective date of this Act.

18 (b) Eighteen months after the Drug Price Finder program
19 begins operation, the Department of Healthcare and Family
20 Services shall evaluate the program and report its findings and
21 recommendations to the General Assembly.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.