

**SB0806**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB0806**

Introduced 2/6/2009, by Sen. John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

320 ILCS 25/6

from Ch. 67 1/2, par. 406

Amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Makes a technical change in a Section concerning administration of the pharmaceutical assistance program.

LRB096 06876 DRJ 16962 b

**A BILL FOR**

1 AN ACT concerning aging.

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

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

7 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

8 Sec. 6. Administration.

9 (a) In general. Upon receipt of a timely filed claim, the  
10 ~~the~~ Department shall determine whether the claimant is a person  
11 entitled to a grant under this Act and the amount of grant to  
12 which he is entitled under this Act. The Department may require  
13 the claimant to furnish reasonable proof of the statements of  
14 domicile, household income, rent paid, property taxes accrued  
15 and other matters on which entitlement is based, and may  
16 withhold payment of a grant until such additional proof is  
17 furnished.

18 (b) Rental determination. If the Department finds that the  
19 gross rent used in the computation by a claimant of rent  
20 constituting property taxes accrued exceeds the fair rental  
21 value for the right to occupy that residence, the Department  
22 may determine the fair rental value for that residence and  
23 recompute rent constituting property taxes accrued

1 accordingly.

2 (c) Fraudulent claims. The Department shall deny claims  
3 which have been fraudulently prepared or when it finds that the  
4 claimant has acquired title to his residence or has paid rent  
5 for his residence primarily for the purpose of receiving a  
6 grant under this Act.

7 (d) Pharmaceutical Assistance. The Department shall allow  
8 all pharmacies licensed under the Pharmacy Practice Act ~~of 1987~~  
9 to participate as authorized pharmacies unless they have been  
10 removed from that status for cause pursuant to the terms of  
11 this Section. The Director of the Department may enter into a  
12 written contract with any State agency, instrumentality or  
13 political subdivision, or a fiscal intermediary for the purpose  
14 of making payments to authorized pharmacies for covered  
15 prescription drugs and coordinating the program of  
16 pharmaceutical assistance established by this Act with other  
17 programs that provide payment for covered prescription drugs.  
18 Such agreement shall establish procedures for properly  
19 contracting for pharmacy services, validating reimbursement  
20 claims, validating compliance of dispensing pharmacists with  
21 the contracts for participation required under this Section,  
22 validating the reasonable costs of covered prescription drugs,  
23 and otherwise providing for the effective administration of  
24 this Act.

25 The Department shall promulgate rules and regulations to  
26 implement and administer the program of pharmaceutical

1 assistance required by this Act, which shall include the  
2 following:

3 (1) Execution of contracts with pharmacies to dispense  
4 covered prescription drugs. Such contracts shall stipulate  
5 terms and conditions for authorized pharmacies  
6 participation and the rights of the State to terminate such  
7 participation for breach of such contract or for violation  
8 of this Act or related rules and regulations of the  
9 Department;

10 (2) Establishment of maximum limits on the size of  
11 prescriptions, new or refilled, which shall be in amounts  
12 sufficient for 34 days, except as otherwise specified by  
13 rule for medical or utilization control reasons;

14 (3) Establishment of liens upon any and all causes of  
15 action which accrue to a beneficiary as a result of  
16 injuries for which covered prescription drugs are directly  
17 or indirectly required and for which the Director made  
18 payment or became liable for under this Act;

19 (4) Charge or collection of payments from third parties  
20 or private plans of assistance, or from other programs of  
21 public assistance for any claim that is properly chargeable  
22 under the assignment of benefits executed by beneficiaries  
23 as a requirement of eligibility for the pharmaceutical  
24 assistance identification card under this Act;

25 (4.5) Provision for automatic enrollment of  
26 beneficiaries into a Medicare Discount Card program

1 authorized under the federal Medicare Modernization Act of  
2 2003 (P.L. 108-391) to coordinate coverage including  
3 Medicare Transitional Assistance;

4 (5) Inspection of appropriate records and audit of  
5 participating authorized pharmacies to ensure contract  
6 compliance, and to determine any fraudulent transactions  
7 or practices under this Act;

8 (6) Annual determination of the reasonable costs of  
9 covered prescription drugs for which payments are made  
10 under this Act, as provided in Section 3.16;

11 (7) Payment to pharmacies under this Act in accordance  
12 with the State Prompt Payment Act.

13 The Department shall annually report to the Governor and  
14 the General Assembly by March 1st of each year on the  
15 administration of pharmaceutical assistance under this Act. By  
16 the effective date of this Act the Department shall determine  
17 the reasonable costs of covered prescription drugs in  
18 accordance with Section 3.16 of this Act.

19 (Source: P.A. 92-651, eff. 7-11-02; 93-841, eff. 7-30-04;  
20 revised 1-22-08.)