

## **No Senior Left Behind Statement**

This Illinois Act provides for a new program of pharmaceutical assistance to the aged and disabled, which shall be administered by the state Department of Healthcare and Family Services and the Department on Aging. The Act provides that to become a beneficiary under the new program, a person must (1) be either age 65 or older or disabled, (2) be domiciled in the state, (3) enroll with a qualified Medicare Part D Prescription Drug Plan if eligible, and (4) have a maximum household income of less than specified amounts depending on household size.

This law provides that people enrolled as of December 31, 2005, in the pharmaceutical assistance program under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act and anyone enrolled as of December 31, 2005, in the SeniorCare Medicaid waiver program operated by the state shall be automatically enrolled in the new program. It divides the new program beneficiaries into 4 "eligibility groups." It provides that the program shall cover the cost of covered prescription drugs in excess of the beneficiary co-payments (\$2 for each prescription of a generic drug and \$5 for each prescription of a brand-name drug) that are not covered by Medicare.

The law provides a new definition of "covered prescription drug" for purposes of the new program. Any person otherwise eligible for pharmaceutical assistance under the new program whose covered drugs are covered by any other public program is ineligible for assistance under the new program to the extent that the cost of those drugs is covered by the other program. This Act sets forth conditions of participation in the new program for pharmacies.

The Act amends the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act. The law provides that the prescription drug discount program is for residents instead of only senior citizens and disabled people. It provides for administration of the Act by the Department of Healthcare and Family Services (successor agency to the Department of Public Aid) instead of the Department of Central Management Services.

This law changes the requirements that a proposal for administering the program must meet, including requirements that a proposal specify the amount of the discount based on the average wholesale price of the covered medications and administrative fees charged by the administering entity. The law eliminates provisions setting forth limits on the amounts paid for medications by people enrolled in the program and specifying the formula for calculating the amounts paid by the program administrator to pharmacies.

This Act provides for a program enrollment fee to be determined by the Director of Healthcare and Family Services (instead of \$25), and makes changes concerning collection of the enrollment fee. It provides that to be eligible to participate in the program, a person must be a resident of the state and must have household income equal to or less than 300% of the Federal Poverty Level.

The law eliminates a provision that any person who is eligible for pharmaceutical assistance under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is presumed to be eligible for this program.

Submitted as:

Illinois

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Status: Enacted into law in 2005.