

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

535E0501

HOUSE BILL NO. 1107

Introduced by: Representatives Brown (Richard), Davis, Hennies (Don), Hennies (Thomas), Kooistra, Lange, Olson (Mel), and Slaughter and Senators Brown (Arnold), Hainje, Olson (Ed), and Reedy

1 FOR AN ACT ENTITLED, An Act to create the South Dakota senior citizen pharmaceutical
2 assistance program and to provide an appropriation therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. There is hereby established the South Dakota senior citizen pharmaceutical
5 assistance program within the Department of Social Services. Any person who is at least sixty-
6 five years of age and eligible for the long-term care alternatives program is eligible for the South
7 Dakota senior citizen pharmaceutical assistance program. The South Dakota senior citizen
8 pharmaceutical assistance program shall assist senior citizens in paying for pharmaceutical drugs
9 that provide treatment for chronic conditions.

10 Section 2. The Department of Social Services shall promulgate rules, pursuant to chapter 1-
11 26, to provide for the following:

- 12 (1) Establish a copayment;
- 13 (2) Establish a deductible;
- 14 (3) Establish a benefit cap;

1 (4) Limit the specific medications covered; and

2 (5) Provide for the administration of the program.

3 Section 3. There is hereby established the senior citizen pharmaceutical assistance fund. The
4 sum of five hundred thousand dollars from the tobacco prevention and reduction trust fund shall
5 be transferred to the senior citizen pharmaceutical assistance fund. Any payments collected in
6 connection with the senior citizen pharmaceutical assistance program shall be deposited in the
7 senior citizen pharmaceutical assistance fund. Interest earned on the money in the fund shall be
8 credited to the senior citizens pharmaceutical assistance fund. Any money from gifts, grants, or
9 other funds may be deposited in the fund.

10 Section 4. There is hereby appropriated from the senior citizen pharmaceutical assistance
11 fund the sum of five hundred thousand dollars (\$500,000), or so much thereof as may be
12 necessary, to the Department of Social Services for the South Dakota senior citizen
13 pharmaceutical assistance program as provided in section 1 of this Act.

14 Section 5. The secretary of social services shall approve vouchers and the state auditor shall
15 draw warrants to pay expenditures authorized by this Act.

16 Section 6. Any amounts appropriated in this Act not lawfully expended or obligated by
17 June 30, 2002, shall revert in accordance with § 4-8-21.

18 Section 7. The implementation of this Act does not establish an entitlement to pharmaceutical
19 assistance.