

75-5961. Senior pharmacy assistance program; eligibility for; rules and regulations; section suspended upon commencement of federal program. (a) Within the limits of appropriations therefor, the secretary for aging and disability services shall establish a senior pharmacy assistance program in accordance with the provisions of this section. The senior pharmacy assistance program shall provide financial assistance to eligible individuals for the purchase of prescription drugs.

(b) The secretary for aging and disability services shall adopt rules and regulations establishing eligibility for the senior pharmacy assistance program subject to the following criteria:

- (1) An individual to be eligible for the program must be 65 years of age or older;
- (2) an eligible individual's income must not exceed 200% of the federal poverty guidelines for a one person family unit and the individual's household income must not exceed 200% of the federal poverty guidelines for a two person family unit;
- (3) an eligible individual must not qualify for funding from any other local, state or federal prescription drug program;
- (4) an eligible individual must not be covered under any private prescription reimbursement plan; and
- (5) an eligible individual must not have voluntarily canceled a local, state or federal prescription drug program or a private prescription reimbursement plan, except in an incidence of financial hardship, within six months prior to application for enrollment in the senior pharmacy assistance program.

(c) The secretary for aging and disability services shall adopt rules and regulations as necessary to implement the provisions of the senior pharmacy assistance program at a level that can be supported within appropriated funds available therefor. The secretary for aging and disability services shall adopt rules and regulations which establish the benefits, limitations and cost-sharing requirements for the senior pharmacy assistance program. Enrollment in the program shall be in accordance with applications and procedures established by the secretary for aging and disability services.

(d) The provisions of this section and the senior pharmacy assistance program are hereby suspended on the day upon which payments commence under any federal law enacted on or after the effective date of this act which provides financial assistance for the purchase of prescription drugs to individuals eligible for financial assistance for the purchase of prescription drugs.

History: L. 2000, ch. 154, § 1; L. 2003, ch. 157, § 1; L. 2014, ch. 115, § 399; July 1.