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# State Senior Pharmaceutical Assistance Programs

*by the National Conference of State Legislatures*

**A**s of January 2001, twenty-six states have authorized some type of pharmaceutical assistance program. Of these, 22 states have enacted laws to create programs, and four were created by executive branch action only. Because several states have more than one program, this chapter provides profiles on 35 state subsidy programs, including the number of recipients, basic eligibility requirements, year of creation, and contact information in each state.

A growing number of states have established programs to provide pharmaceutical coverage or assistance, primarily to low-income elderly or persons with disabilities who do not qualify for Medicaid. Most programs utilize state funds to subsidize a portion of the costs, usually for a defined population that meets enrollment criteria.

## **Growing Numbers**

As of January 2001, a total of twenty-six states have authorized some type of pharmaceutical assistance program; twenty-two states have enacted laws to create programs, four others are by executive branch action only. To date, twenty-four state programs are in operation; Kansas has an enacted law and Iowa has an agency program that is not yet in operation. Twenty states provide a direct subsidy using state funds. Missouri provides a subsidy only by a year-end tax credit. Five additional states have recently created programs that offer a discount only (no subsidy) for eligible or enrolled seniors: California, Iowa, New Hampshire, Washington, and West Virginia.

## **Recent Activity**

The newest programs began operation in December 2000 and January 2001 in Florida, Nevada, South Carolina, Washington and West Virginia. During the 2000 legislative session, Indiana enacted a new program in March; a Kansas program was authorized in May and a Florida program was signed into law in June. The South Carolina legislature passed a similar program in an appropriation bill. Major expansions in eligibility were enacted in several states including Illinois, Massachusetts, New York, and Rhode Island; generally these changes take effect in 2001.

Table 1 provides profiles on each of the individual state subsidy programs, including state law citations. Note that several states have more than one program. The table also includes the year of creation, basic eligibility requirements, and contact information within each state for further details. The National Conference of State Legislatures website, from which this chapter is drawn, is frequently updated (<http://www.ncsl.org/programs/health/drugaid.htm>). From this site, you can link to program descriptions and authorizing legislation in many of the states.

**Table 1. Individual State Subsidy Programs**

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/Dates of Operation***
California	Discount Prescription Medication Program <i>(retail discounts via pharmacies)</i>	n/a* <i>(est. 1.3 million eligible)</i>	Medicare recipients, 65 or disabled; no income limit  In effect: 2/1/2000	1999 SB 393	Dept. of Health Services (916)657-4213 HICAP: (800)434-0222
Connecticut	Connecticut Pharmaceutical Assistance Contract to the Elderly and the Disabled Program (ConnPACE)	31,666* (FY'00)	Minimum age: 65 Single: \$14,700 ('00) Married: \$17,700 <i>(\$200 increase over '99)</i> Disabled: < age 18 on SSDP	1986 [§17b-491 et seq.]	CT Dept. of Social Services (860)832-9265
Delaware (1)	Delaware Prescription Drug Assistance Program (DPAP)  In effect: 1/14/2000	2,539 (8/00)	Minimum age: 65 Single: \$16,488 ('00) Married: \$22,128 Disabled: eligible for SSDI	1999 (S. 6 of 1999) [Del.Code tit.16 §3001]	Division of Social Services (800)996-9969 ext. 17 (302)577-4900
Delaware (2)	Nemours Health Clinic Pharmaceutical Assistance Program	26,000 ( '00)*	Minimum age: 65 Single: \$12,500 ('00) Married: \$17,125	1981 private initiative	(302)651-4405 (800)292-9538
Florida <b>New</b>	Pharmaceutical Expense Assistance Program	n/a  <i>(est. 30,000 eligible)</i>	Minimum age: 65 and Dually-Eligible Medicare-Medicaid Individual: \$10,200 (90%-120% of FPL) effective 7/1/2000  <i>(part 2 is a discount program for 65 &amp; over Medicare beneficiaries)</i>	2000 S 940 (signed by Governor, 6/8/2000)	Agency for Health Care Administration (850)414-8306 (888)419-3456  <b>Subsidy program effective date 1/1/01</b>

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/Dates of Operation***
Illinois <b>New</b>	Pharmaceutical Assistance Program	53,555*	Minimum age: 65 Single: \$21,218 ('01) Married: \$28,480 Disabled: over 16. (see Table 2 for expansion)	1985 [320 ILCS 25/4]	(217)524-0435 In IL: (800)624-2459 Dept. of Revenue
Indiana <b>New</b>	Indiana Prescription Drug Fund "HoosierRx"	n/a  <i>(est. 66,000 eligible)</i>	Minimum age: 65 Single: \$11,280 Couple: \$25,992  \$20 million appropriated	2000 S. 108, § 6 (law signed 3/13/2000)	Law effective date 9/1/2000; 50% discount/ cash refunds available 10/1/2000)
Iowa	(see discounts, Table 2)	/	/	(Not in law)	
Kansas <b>New</b>	Senior Pharmacy Assistance Program	n/a  <i>(3,000 est. by 2001)</i>	Minimum age: 67 Single: \$12,525 ('01) 150% of FPL Married: \$16,875 <i>copayment: 30%</i>	2000 HB 2814 (signed 5/16/2000)	Effective date 7/1/2001 Dept. of Aging (785)296-1299  <b>Not yet operational</b>
Maine (1)	Low Cost Drugs for the Elderly Program	24,900  (99)	Minimum age: 62 Single: \$15,244 (1/00) Married: \$20,461 Disabled: age 55 or over	1975 36 M.R.S. § 6161 - 6166	(888)600-2466 (207)287-2674
Maine (2) <b>New</b>	Maine Rx Program  (discount prices, based on Medicaid & manufacturer rebates)	n/a*  <i>(325,000 estimated eligible in '01)</i>	Minimum age: none All Maine residents with an Rx enrollment card	2000 S.1026; Chapter 786, §2681 (signed 5/11/2000)	Law provides for operation to begin 1/1/2001; delayed to 4/1/01. Bureau of Medical Services

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/ Dates of Operation***
Maryland (1)	Maryland Pharmacy Assistance Program	34,000* ( '00)  <i>Budget \$37.3M</i>	Minimum age: no limit Single: \$9,650 ('00) Married: \$10,450 Disabled: yes No limitation by age or medical condition. \$3750 max. assets	1979 [Health-General §15-124]	(410)767-5394 (800)492-1974
Maryland (2)  <b>New</b>	Short-Term Prescription Drug Subsidy Plan (limited to residents of 17 underserved counties)	1,004 (9/00)	Minimum age: 65 & eligible for Medicare+Choice; \$460 annual premium; \$1000 annual benefit limit	2000 S.855; Chapter 565 (signed 5/18/2000)	Law effective 7/1/2000 Sec. Of Health & Mental Hygiene
Massachusetts (1)	The Pharmacy Program <i>formerly Senior Pharmacy Assistance Program</i>	62,600 (9/2000)	Minimum age: 65 Single: \$15,708 ('00) Married: \$21,156 <i>see Massachusetts (3) for 2001 expansions</i>	1996 [Ch. 118E, §16B & Ch. 170 of 1997]	Exec. Office of Elder Affairs (800)243-4636 (617)727-7750
Massachusetts (2)	Pharmacy Program Plus <i>In effect Jan. 2000 to Dec. 31, 2000 only</i>	7,170* (9/2000)	Minimum age: 65 Single: \$41,220 Married: \$55,320 <i>Over 10% of income spent on prescription drugs for 3 months.</i> Disabled: Recipients of SSI/SSDI or Medicare	1999 H.4900 Chapter 127 of 1999 see §213	Exec. Office of Elder Affairs (800)243-4636 (617)727-7750
Massachusetts (3)  <b>New</b>	Subsidized Catastrophic Prescription Drug Insurance Program (intended to replace Senior Pharmacy programs #1 & #2 above in 2001)	n/a*	Minimum age: 65 No upper income limit; No premium or deductibles under 188% of FPL (\$15,698). Disabled: \$15,698	2000 Sec. 46 of H.5300 enacted 7/28/2000	Not yet operational (Goes into effect 4/1/2001)

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/Dates of Operation***
Michigan (1)	Michigan Emergency Pharmaceutical Program for Seniors (MEPPS)	12,968 ('99)	Minimum age: 65 Single: \$12,360/year ('99) Married: \$15,921/year	1988 & 1994	Office of Services to the Aging (517)373-8230
Michigan (2)	State Medical Program ----- <i>Elder Prescription Insurance Coverage (EPIC) Program</i>	20,000	Minimum age: none Single: \$246/month Family: \$401/month	1988 ----- <i>EPIC: 1999</i>	MI Dept. of Community Health ----- <i>EPIC implementation 1/1/2001</i>
Minnesota	Senior Citizen Drug Program  In effect Jan. 1999	5,000	Minimum age: 65 Single: \$10,260, <i>assets under \$10,000 (10/00)</i> Married: \$13,740	1997 - Chapter 225, Art 4 [Statute §256.955]	(651)297-3462 (651)296-6627
Missouri	State income tax credit for legend (prescription) drugs In effect Aug. 1999	See note below	Minimum age: 65 Single: up to \$15,000 = \$200 credit. Credit reduced by \$2 for each \$100 income.	1999 S14	Dept. of Revenue (573)751-4081
Nevada	SenioRx Insurance	0 n/a	Minimum age: 62 Family: \$21,500 ('00) sliding scale co-pays over \$12,700 (subsidy for prescription drugs private insurance policies; uses tobacco funds)	1999-A.474 (Ch.538, § 10, signed 6/9/99)	Aging Services Division, DHR (775)688-2964 (702)486-3545  Operational as of 1/1/2001

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/Dates of Operation***
New Hampshire	(see discounts, Table 2)	/		(not in law)	
New Jersey	PAAD - Pharmaceutical Assistance for the Aged and Disabled	188,000* (9/00)  <i>(includes 163,958 aged + 23,400 disabled)</i>	Minimum age: 65 Single: \$18,587('00) Married: \$22,791 Disabled: age 21	1975 [Ch.30: 4D-20 et seq.]	(609)588-7048 In NJ: (800)792-9745
New York	EPIC - Elderly Pharmaceutical Insurance Coverage	117,000 (5/00)	Minimum age: 65 Single: \$18,500 ('00) Married: \$24,400 (will expand 1/2001 to: Single: \$35,000 Married: \$50,000)	1987 law [Executive 19-K §547 et seq.]	(518)452-6828 In NY: (800)332-3742
North Carolina	Prescription Drug Assistance Program  <i>(pilot program in 30 counties until 6/30/00; statewide as of 7/1/00)</i>	2,500 (9/00)	Minimum Age: 65 Single: \$12,360 ('00) 150% of FPL  For persons diagnosed with heart disease or diabetes	1999 - H 168 [Part XI of Chapter 237 of 1999]	Public Health Dept. (919)715-3338  Began operation May 2000
Pennsylvania (1)	PACE - Pharmaceutical Assistance for the Elderly	208,000 (12/00)	Minimum age: 65 Single: \$14,000 ('01) Married: \$17,200	1984, P.L.351, No. 91 §502 [72 PS §3761-501 to 709]	PA Dept. of Aging 717-652-9028 In PA: (800)225-7223
Pennsylvania (2)	PACENET - PACE Needs Enhancement Tier	22,000 (12/00)	Minimum age: 65 Single: \$16,000 ('01) Married: to \$19,200	1996 P.L. 741, No. 134	PA Dept. of Aging (717)652-9028 In PA: (800)225-7223

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/ Dates of Operation***
Rhode Island	RIPAE - Rhode Island Pharmaceutical Assistance for the Elderly	31,000 (9/99)	Minimum age: 65 Single: \$15,558 ('00) Married: \$19,449 <i>Excludes income spent on medication if greater than 3% of total income.</i> Single: \$34,999 ('01) Couple: \$39,000 ('01)	1985 [§42-66.2 - 5]  2000 expansion	Dept. of Elderly Affairs (401)222-2858 (800)322-2880
South Carolina  <b>New</b>	SilverxCard - Seniors' Prescription Drug Program	34,000 (1/5/01)	Minimum age: 65 Single: \$14,612 ('00) Married: \$19,678	2000 H.3699 became law 5/19/2000	Office of Insurance Services (877)239-5277 (803)734-1061  <b>Operational as of 1/1/2001</b>
Vermont (1)	VHAP - Vermont Health Access Program  (Medicaid funded via 1115 waiver)	7,303*	Minimum age: 65 Single: \$12,360 ('99) Married: \$16,590 Disabled: Recipients of disability benefits through SS or Medicare	1996 [Act 14 of 1996, §14 + HCFA 1115 waiver]	(800)529-4060
Vermont (1a)  <b>New</b>	Pharmacy Discount Program (PDP) - expansion of VHAP, above (provides retail discount only; no state subsidy)	200* (as of 1/3/01)  (est. eligible 69,000)	Minimum age: none any Medicare-covered individual; others w/o coverage Single: \$25,056 Couple: \$33,756	2000: H 842 section 117	Operational as of 1/1/2001
Vermont (2)	VSCRIPT	2,125*	Minimum age: 65 Single: \$18,540 ('00) Married: \$24,885 225% of FPL Disabled: Recipients of disability benefits through Social Security	1989 [33 VSA §§1991-1994] as expanded by §122-123 of Act 62 of 1999]	(800)529-4060

State	Program Name	Recipients*	Eligibility**	Year/Law Citation	Contact/Telephone/Dates of Operation***
Washington	(see discounts, Table 2)	/	/	/	/
West Virginia	(see discounts, Table 2)	/	/	/	/
Wyoming	Minimum Medical Program	550* (1/00)	Minimum age: no limit Income: \$8350; <i>100% of federal poverty level. ('00)</i>	1988 [Dept. of Health Regulations]	Dept. of Health/Medicaid 307-777-7531 307-777-6032 800-442-2766

\* = program includes adult disabled; \*\* = age & maximum income (year); \*\*\* = dates of operation for new programs are based on statute; actual implementation schedules may vary based on agency administrative practices.

New = Year 2000 or 2001

FPL= Federal Poverty Level

N/A = Not available

These recently created programs provide for a reduced or discounted retail price for eligible participants, but do not provide a state subsidy for the purchase of prescription drugs. In a few states, discount programs have been added to or integrated with subsidy programs. For examples, see Maine and Vermont in Table 1 above.



**Table 2. State Agency Pharmaceutical Discount Programs (In Operation)**

State	Discount Program Name	Recipients*	Eligibility**	Year/Law Citation or Authority	Contact/Telephone/-Dates of Operation***
California	<i>(see description in Table 1)</i>	-	-	1999 <i>(see Table 1)</i>	-
Florida	Prescription Discount Program <i>(also see description in Table 1)</i>	n/a enrollment not required	Any Medicare beneficiary 65 or over. <i>Discounts based on Medicaid provided by retail pharmacies.</i>	2000 <i>(see Table 1)</i>	7/1/00
Iowa	Iowa Pharmacy Cooperative  Discounts only	300 in 1st week	(regulations on eligibility not finalized)	<i>(not in law)</i>	Iowa Dept of Elder Affairs (515)242-3333 (866)282-5817  <b>Not yet operational-7/1/2001</b>
Maine (3) <b>New</b>	Medicaid waiver discount program	n/a <i>(est. 225,000 eligible)</i>	Income limit: Medicare enrollees up to 300% of FPL	<i>(not in law)</i>	HCFA granted Medicaid waiver, 1/19/2001 <b>Not yet operational</b>
New Hampshire	New Hampshire Senior Prescription Drug Discount Program	75,000 (est.)	Minimum age: 65 No income limit  No enrollment fee	<i>(not in law)</i>	Division of Elderly and Adult Services (800)351-1888  Pilot program operational 1/2000
Vermont	Pharmacy Discount Program (PDP)		<i>(see descriptions in Table 1)</i>		
Washington	A Washington Alliance to Reduce Prescription-Drug Spending (AWARDS) (retail discount only)	/	Minimum age: 55 No income limit  \$15 annual enrollment charge	<i>(not in law)</i> <i>Exec. order 00-04 WAC 246-30</i>	(court challenge pending)  <b>Operational as of 1/15/2001</b>
West Virginia	SPAN II (retail discount only)	2,000 (1/5/01)	Minimum age: Medicare eligible Income: \$25,050 Couple: \$33,750 (Enrollment opened on Nov. 1, 2000) No enrollment fee	<i>(not in law)</i> <i>Executive order 20-00 signed 10/18/00.</i>	Toll-free (877)987-4463  <b>Operational as of 12/15/2000</b>

\* = program includes adult disabled; \*\* = age & maximum income (year); \*\*\* = dates of operation for new programs are based on statute; actual implementation schedules may vary based on agency administrative practices.

## Eligibility standards

The figures listed in these tables are based on language in state statutes or other state regulations. They are examples of the scope of individual programs; they are not intended as full descriptions of eligibility requirements for individuals. Please consult state program administrators for additional details and conditions.

### State Pharmaceutical Assistance and Tobacco Funds

The availability of tobacco settlement funds for year 2000 was a substantial factor in stimulating discussion and legislative activity relating to prescription drug subsidies. The following states appropriated tobacco settlement funds toward state Senior Pharmaceutical Assistance programs in 1999-2000.

- ❖ Delaware (S 420 of 2000; S. 6 of 1999) \$7.5 million.
- ❖ Illinois (HB 3872, HB 4437 of 2000); \$35 million appropriated.
- ❖ Indiana (S 108 of 2000) \$20 million Maine (LD 2510) \$10 million for expanded coverage.
- ❖ Massachusetts (H5300, sec 46(b) of 2000) \$10 million - original 1996 program used tobacco tax revenue.
- ❖ Michigan - FY2001 budget - \$33 million for prescription drugs for seniors (signed 7/2000).
- ❖ Nevada (Ch 538 of 1999) - 15% of total available revenue.
- ❖ New Jersey (S2000 of 2000; \$29 million in FY 2000; \$38 million in FY2001, of which \$25 million is authorized in FY 2001 budget).
- ❖ New York- \$55.7 million for FY2001 for expansion of EPIC; funds reduce the cost of drugs and expand the program.
- ❖ Ohio earmarked up to \$12 million for a future emergency elderly prescription drug benefit.

Several other states expanded health services for seniors or low income populations, without earmarking the funds to a specific pharmaceutical assistance program.

### Recent Legislative Activity

During 1999-2000, almost half of the states passed legislation pertaining to senior pharmacy programs. State legislation is summarized by the NCSL and most bills can be accessed through the NCSL website.

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