



STATE OF ILLINOIS
EXECUTIVE OFFICE OF THE GOVERNOR
SPRINGFIELD 62706

JB PRITZKER
GOVERNOR

March 22, 2022

To the Honorable Members of the Illinois General Assembly:

In compliance with the requirements set forth in the Illinois Regulatory Sunset Act (5 ILCS 80), my office has conducted a review of the Wholesale Drug Distribution Licensing Act (225 ILCS 120), which is scheduled to sunset on January 1, 2023. As a result of this review, it is recommended to the General Assembly that:

The Wholesale Drug Distribution Licensing Act (225 ILCS 120) should be continued with the following modifications to its existing statutory and administrative rule framework.

- Require licensees to provide an email address of record with the Department.
- Allow notice of hearing to be served by mail or email, rather than registered or certified mail.
- Add "virtual distributor" to the definition of Wholesale drug distributor to include a virtual distributor who has title but does not take physical possession of prescription drugs. Make conforming changes to the designated representative requirements and other provisions of the Act.
- Make a technical change to the term "third party logistics provider" and change to "third-party logistic provider" throughout the Act for consistency.
- Remove outdated provisions of the Act which do not reflect Department practice.
- Amend the board recommendation process to conform to standardized language and Department practice.
- Add language clarifying the renewal and restoration process.
- Add provisions requiring reports of suspicions orders per the Drug Enforcement Agency's reporting requirements in order to promote patient safety and opioid recovery and treatment for patients.

Wholesale Distributors are regulated so that no person or entity can make or distribute prescription drugs in any state unless that person or entity is licensed by the state in accordance with federally prescribed minimum standards, terms, and conditions as set forth in guidelines issued by the United States Food and Drug Administration.

If the Wholesale Distributor Act were to sunset and become deregulated, any person or entity would be able to distribute/sell prescription drugs to anyone without appropriate oversight or regulation. This would pose a threat to public health and safety as the drugs could be misused, expired, or abused.

The full report provided by the Governor's Office of Management and Budget is provided as reference.

Very Sincerely and Respectfully,
JB Pritzker
Governor