

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1720

S.P. 653

In Senate, December 17, 2003

### **An Act To Ensure the Lowest-priced Prescription Drugs for Maine Seniors**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2003. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator TREAT of Kennebec.

Cosponsored by Representative PARADIS of Frenchville, Representative LEMOINE of Old Orchard Beach and

Senators: DAMON of Hancock, HALL of Lincoln, HATCH of Somerset, MAYO of Sagadahoc, ROTUNDO of Androscoggin, STANLEY of Penobscot, Representatives: McNEIL of Rockland, PERRY of Calais.

**Be it enacted by the People of the State of Maine as follows:**

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**Sec. 1. 22 MRSA §254, sub-§11-A,** as enacted by PL 2001, c. 691, §1 and affected by §6, is amended to read:

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**11-A. Retention of eligibility.** A person who was eligible for the program at any time from August 1, 1998 to July 31, 1999 and who does not meet the requirements of subsection 10 retains eligibility for the program if that person is a member of a household of an eligible person; and

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**Sec. 2. 22 MRSA §254, sub-§12,** as enacted by PL 1999, c. 731, Pt. TT, §10, is amended to read:

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**12. Funds not to lapse.** Funds appropriated from the General Fund to carry out the purpose of this section may not lapse but must carry from year to year; and

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**Sec. 3. 22 MRSA §254, sub-§13** is enacted to read:

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**13. Treatment of benefits.** A manufacturer of prescription drugs that operates or participates in a patient assistance, drug access or drug discount program in this State that provides access to free or reduced-price prescription drugs to a person who receives benefits under this section may not take eligibility under this section into consideration in determining eligibility for the patient assistance, drug access or drug discount program.

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**SUMMARY**

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This bill proposes to prohibit a drug manufacturer from considering eligibility for the elderly low-cost drug program when determining eligibility for a patient assistance, drug access or drug discount program.

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