

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
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ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

CHAPTER 726

S. P. 654 — L. D. 1693

AN ACT to Clarify the Laws relating to the Elderly Low-Cost Drug Program.

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

Sec. 1. 22 MRSA § 254, first sentence, as amended by PL 1975, c. 293, § 4, is further amended to read:

The Department of Human Services is authorized to conduct a program to provide free low cost prescription and nonprescription drugs and medication to disadvantaged, elderly individuals.

Sec. 2. 22 MRSA § 254, 5th sentence is amended to read:

The commissioner is authorized to accept for the purposes of carrying out this program federal funds appropriated under any federal law relating to the furnishing of free or low cost drugs to the disadvantaged, elderly individuals and to do such acts as are necessary for the purposes of carrying out such federal law; and to accept from any other agency of government, individual, group or corporation such funds as may be available to carry out this chapter.

Sec. 3. 22 MRSA § 254, 2nd ¶, last sentence, as repealed and replaced by PL 1977, c. 694, § 333, is repealed and the following enacted in its place:

These rules and regulations shall be promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, and shall be related to the following aspects of this program:

Sec. 4. 22 MRSA § 254, sub-§ 2, as repealed and replaced by PL 1977, c. 718, § 1, is amended to read:

2. Individuals eligible for participation. Eligibility status of individuals shall be determined by the State Tax Assessor pursuant to Title 36, ~~Part 9-A~~ c. 905;

Sec. 5. 22 MRSA § 254, sub-§ 4-A is enacted to read:

4-A. Payment for drugs provided. The commissioner may establish the amount of payment to be made by recipients toward the cost of prescription or nonprescription drugs and medication furnished under this program;

Sec. 6. 36 MRSA c. 903, as enacted by PL 1977, c. 718, § 3, is repealed.

Sec. 7. 36 MRSA c. 905 is enacted to read:

CHAPTER 905

CERTIFICATION OF ELIGIBILITY FOR ELDERLY LOW COST DRUG PROGRAM

§ 6161. Purpose

The purpose of this chapter is to determine and certify the eligibility status of individuals for the elderly low cost drug program.

§ 6162. Eligibility criteria; appeal

All individuals who meet the age and income criteria of the Elderly Householders Tax and Rent Refund Act are eligible for the Elderly Low Cost Drug Program described in Title 22, section 254 if they are legal residents of Maine at the time the application is filed, except that individuals receiving state supplemental income benefits or relinquishing residency are ineligible for that program.

The eligibility decision, made by the State Tax Assessor or his designee, shall be final, subject to appeal in accordance with the Maine Administrative Procedure Act.

§ 6163. Administration

The State Tax Assessor shall make available suitable applications with instructions for applicants. The State Tax Assessor shall accept applications for eligibility throughout the year and no application may be denied on the basis that it was not submitted before a deadline set by the State Tax Assessor.

§ 6164. Certification

The State Tax Assessor shall annually issue an identification certificate to eligible applicants. The certificate shall be valid for the 15-month period beginning October 1st of the current calendar year through December 31st of the following year.

Effective July 3, 1980

CHAPTER 727

H. P. 1756 — L. D. 1882

AN ACT to Provide for the Education of Preschool Handicapped Children.

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