

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1200

H. P. 879

House of Representatives, February 26, 1971

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Gill of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Providing for Prescription of Generic Drugs
Rather Than Brand Names.**

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

R. S., T. 32, §§ 2607 and 3155, additional. Title 32 of the Revised Statutes is amended by adding two new sections 2607 and 3155 to read as follows:

§ 2607. Prescriptions for generic drugs

Each osteopathic physician shall prescribe the generic drug instead of the brand name drug when in his judgment it will achieve the same results.

§ 3155. Prescriptions for generic drugs

Each physician registered under this chapter shall prescribe the generic drug instead of the brand name drug when in his judgment it will achieve the same results.

STATEMENT OF FACT

More and more older people are spending more and more money on medicine and medical care. One place where a good deal of this money goes is to buy brand name medicine which many physicians and osteopaths prescribe. Druggists are then required to fill the prescription as written. They cannot sell a different and less expensive brand of medicine, even if it is the same drug as the prescribed medicine.

There are often very good reasons why a more expensive (brand name) medicine is prescribed by our doctors. But many times it is not necessary to prescribe a more expensive medicine, when the same generic product will achieve the same result.

The object of this bill, which makes prescribing generic medicine a matter of judgment on the part of the physician or osteopath, is to try to save our older people some of the expense of the medicines they need to buy. Those over 65 pay $\frac{1}{4}$ of the nation's prescription drug bill and many in Maine spend from $\frac{1}{4}$ to $\frac{1}{3}$ of their income on these drugs. Perhaps such a bill will serve to remind the doctor and osteopath more frequently that a generic medicine might be used, and remind the patient to ask the doctor and osteopath if this is possible.