

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "D" to H. P. 1964, L. D. 2503, Bill, "AN ACT Relating to Price information on Prescription Drugs and Permitting Advertising of Prescription Drug Prices."

Amend said Bill by striking out all of the title and inserting in place thereof the following: 'AN ACT Relating to Price Information on Prescription Drugs.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'R. S., T. 22, §§2204-D and 2204-E, additional. Title 22 of the Revised Statutes is amended by adding 2 new sections 2204-D and 2204-E to read as follows:

§2204-D. Posting prices

The Legislature determines that it is the policy of this State to permit and encourage, for the benefit of the citizens of this State, the availability of factual information regarding charges by licensed pharmacists or pharmacies for prescription drugs and the professional services and nonprofessional convenience services associated with the dispensing of such drugs. It is the intent of the Legislature to permit and encourage the availability of such factual information in a manner which will not encourage unfair or deceptive competitive practices but will assist the public in making informed purchasing decisions based on total value received for prescription drug expenditures and not based on price alone.

(Filing No. A-723)

The Board of Commissioners of the Profession of Pharmacy shall annually in August prepare a list of the 80 prescription drugs ordered most frequently, in the amounts most frequently prescribed, in the State in the 12 months immediately preceding compilation of the list. Copies of the list, in a form suitable for display, with type sufficiently large to be easily readable when on display and with appropriate space left for a price for each drug listed, shall be sent to each licensed pharmacy in the State annually upon publication.

Each price poster must include space for the pharmacy to indicate the professional services and nonprofessional convenience services which are provided by the pharmacy as part of the retail price charged for the drug.

Each licensed pharmacy in the State shall conspicuously post on its premises the aforementioned list and shall insert in the space provided on the list the pharmacy's current retail price for each such prescription drug.

No drug listed under the Federal Drug Abuse Prevention and Control Act, including syringes and needles, will be included on such price posters.

The Board of Commissioners of the Profession of Pharmacy shall be empowered to promulgate rules and regulations which may be necessary to carry out the intent of this section and section 2204-E.

(Filing No. # - 723)

§2204-E. Exemptions

Pharmacies, located in a licensed hospital, which are accessible only to hospital medical staff and personnel, shall not be required to post prices under section 2204-D.'

Statement of Fact

The purpose of this amendment is to set the number of prescription drugs that are posted at 80 and to strike out all of the section which allows advertising, and exempts hospital pharmacies from section 2204-D.

Filed by Mr. Silverman of Calais.

Reproduced and distributed under the direction of the Clerk of the House.

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