

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-472)
107TH LEGISLATURE

COMMITTEE AMENDMENT " A " to H.P. 1413, L.D. 1683, Bill,
"AN ACT to Enable the Department of Health and Welfare to
Conduct a Program to Provide Free Drugs to Elderly,
Disadvantaged Maine Citizens."

Amend said Bill by striking out the first line after
the amending clause and inserting in place thereof the following:

'§254. Free drugs to elderly, disadvantaged individuals '

Further amend said Bill by striking out the first 7
paragraphs of that part designated "§254." of section 1 and
inserting in place thereof the following:

'The Department of Health and Welfare is authorized to
conduct a program to provide free prescription and nonprescription
drugs and medication to disadvantaged, elderly individuals.
The person responsible for administration of this program must
be either a Maine licensed pharmacist, physician, osteopathic
physician or dentist, or must be under the administrative
supervision of someone meeting these specifications. The extent
and the magnitude of this program will be determined by the
Commissioner <-----> of Health and Welfare and will
be determined on the basis of the calculated need of the
recipient population and the available funds. The department is
not authorized to spend more on the conduct of this program than
is available either through appropriations from the General Fund,
dedicated revenue, federal or other grants and other established
and committed funding sources. 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 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.

The commissioner is authorized to adopt rules and regulations relating to the conduct of this program, following public hearings, notice of which shall appearⁱⁿ at least 3 appropriate daily newspapers published in the State and a public review period of 60 days. These rules and regulations shall be related to the following aspects of this program:

1. Prescription and nonprescription drugs. The kinds of prescription and nonprescription drugs and medications which may be made available through the operation of this program;

2. Individuals eligible for participation. Eligibility requirements for participation in this program which may include, but not be limited to, income requirements, age requirements and such other requirements as may be reasonably necessary to define a specific eligible population group;

3. Specifications for administration of program. Specifications for the administration and management of the program which may include, but not be limited to, program objectives, accounting and handling practices, supervisory authority and evaluation methodology;

4. Method of prescribing or ordering drugs. The method of prescribing or ordering such drugs which may include, but not be limited to, the use of generic prescribing and the use of standard prescription refill sizes so as to minimize operational costs;

5. Other rules and regulations. Such other rules and regulations as may be necessary to efficiently and effectively manage and operate a program within the intent of this section.'

Statement of Fact

The primary purpose of this amendment is to provide for public hearings and a public review period before the Commissioner of Health and Welfare adopts rules and regulations related to the program of free drugs to the elderly. In addition, the amendment attempts to make the language more concise by offering several grammatical and other small corrections.

Reported by the Majority of the Committee on Health and Institutional Services.

Reproduced and distributed under the direction of the Clerk of the House.
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(Filing No. H-472)