

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1683

H. P. 1413

House of Representatives, April 7, 1975

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

EDWIN H. PERT, Clerk

Presented by Mrs. Goodwin of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Enable the Department of Health and Welfare to Conduct a Program to Provide Free Drugs to Elderly, Disadvantaged Maine Citizens.

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

Sec. 1. 22 MRSA § 254 is enacted to read:

§ 254. Free drugs to elderly, disadvantaged Maine citizens

The Department of Health and Welfare is also authorized to conduct a program to provide free prescription and nonprescription drugs and medication to disadvantaged, elderly Maine citizens. The person responsible for administration of the program must either be 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 the program will be determined by the Commissioner of the Department 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 of Health and Welfare 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 citizens of Maine, 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 of Health and Welfare is authorized to promulgate rules and regulations relating to the conduct of this program. These rules and regulations shall include but not be limited to the following:

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

2. Residents eligible for participation. Those residents of Maine who are eligible 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 shall 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 shall 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.

The department is also authorized to form an advisory committee which it may consult for technical information regarding the nature and operation of this particular program. The nature and composition of the advisory committee shall be at the discretion of the Governor, or at his direction, at the discretion of the Commissioner of the Department of Health and Welfare. The members of such advisory committee shall serve without compensation; however, the department is authorized to disburse funds from an account created pursuant to this section to defray the reasonable costs associated with formulation of policy and the carrying out of activities of this committee. The department is further authorized to disburse funds from the account set up to carry out the purposes of this section to reimburse members of the advisory committee for their reasonable expenses incurred in carrying out their duties under this section. In no circumstance, however, shall expenditures of over \$3,000 per year be incurred for the operation of this committee and all such expenditures must be approved by the Governor and Executive Council.

The Commissioner of Finance and Administration is authorized to create a dedicated revenue account to receive moneys pursuant to this section from whatever source is available which money may be disbursed solely for the purposes of implementing this section.

Sec. 2. Appropriation. There is appropriated from the General Fund the sum of \$2 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
HEALTH AND WELFARE,		
DEPARTMENT OF		
All Other	\$1	\$1

STATEMENT OF FACT

This bill creates a program to provide free prescription and nonprescription drugs and medication to the disadvantaged, elderly citizens of the State. This bill was supported by the Governor in his address to the 107th Legislature on February 13, 1975 and is intended to establish a program, without cost to the people of the State, to provide free drugs for the low income, elderly citizens of the State. It is the Governor's intention and desire to obtain charitable funding for the operation of this program and this program will only function within the limits of available donated funds.