

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 654, L.D. 1693, Bill,
"AN ACT to Provide Arthritic Drugs to Eligible Individuals under
the Low Cost Drug Program."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'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Sec. 3. 22 MRSA §254, 2ndnd, last sentence, as repealed
and replaced by PL 1977, c. 694, §333, is repealed and the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, ~~and shall be~~ ^{Title 5, chapter 375,}

related to the following aspects of this program:

Sec. 4. 22 MRSA §254, sub-§1, as enacted by PL 1975, c. 619, §1, is amended to read:

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, except that all anti-arthritic drugs which are available under the State Medicaid Program shall be included;

Sec. 5. 22 MRSA §254, sub-§2, as repealed and replaced by PL 1977, c. 718, §1, is amended to read: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. 6. 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. 7. 36 MRSA c. 903, as enacted by PL 1977, c. 718, §3, is repealed.

Sec. 8. 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 this chapter 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.

Sec. 9. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1980-81

HUMAN SERVICES, DEPARTMENT OF

Elderly Low Cost Drug Program

All Other

\$264,000'

Statement of Fact

The amendment makes some changes of language in Title 22 to reflect the fact that this program is not a free one, but does require a copayment. The copayment authority is now specified in statute. The program is expanded to include arthritic drugs and the appropriation, which is to cover that expansion, is increased to reflect the expected increase to the Department of Human Services.

It also reorganizes Title 36, chapter 903 into Title 36, chapter 905, rearranging nonsubstantive language and removing extraneous language.

Reported by the Committee on Health and Institutional Services.

Reproduced and distributed pursuant to Senate Rule 11-A.

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