

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 816, L.D. 2080, Bill, "An Act to Require That Certain 3rd-party Prescription Drug Programs Be Subject to the Provisions of the Appropriate Preferred Provider Arrangement Act"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 32 MRSA §13773, as enacted by PL 1987, c. 710, §5, is amended to read:

§13773. Notice

No A 3rd-party prescription program may not be instituted in this State until the program provider has filed written notice of the provisions of the program ~~has--been--filed~~ with the Superintendent of Insurance and the Board of Commissioners of the Profession of Pharmacy and given written notice to all pharmacies which that are located within the counties covered by the program at least 30 days prior to the commencement of the program. In the case of chain or branch pharmacies, the notice shall ~~must~~ be given to the main office or headquarters. These pharmacies shall have 30 days from the date of notice to enroll in the program.

Sec. 2. 32 MRSA §13777, as enacted by PL 1987, c. 710, §5, is amended to read:

§13777. Exceptions

This Act does not apply to any medical assistance or public health programs administered by the Department of Human Services, including, but not limited to, the Medicaid program and the Low Cost Drug Program; to any employee benefit plan that is subject to the Employee Retirement Income Security Act of 1974, 29 United States Code, Section 1001, et seq; and to any 3rd-party prescription programs administered in accordance with and subject to the limitations of the Nonprofit Service Organizations Preferred Provider Arrangement Act of 1985, Title 24, chapter 19, subchapter II, or the Preferred Provider Arrangement Act of 1986, Title 24-A, chapter 32.

COMMITTEE AMENDMENT " A" to S.P. 816, L.D. 2080

2 Third-party Prescription Program Act does not apply to plans that
are subject to the federal Employee Retirement Income Security
Act of 1974, ERISA.

Reported by Senator Whitmore for the Committee on Business
Legislation. Reproduced and Distributed Pursuant to Senate
Rule 12.
(3/2/90) (Filing No. S-543)