## MAINE STATE LEGISLATURE

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	L.D. 2080
2	(Filing No. S-543)
4	· (111111g 110. 5-545)
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8	STATE OF MAINE SENATE 114TH LEGISLATURE
10	SECOND REGULAR SESSION
12	CONSTRUCT AND ADDRESS OF THE CONSTRUCTION OF T
14 16	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"
18	Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its
20	place the following:
22	'Sec. 1. 32 MRSA $\S13773$ , as enacted by PL 1987, c. 710, $\S5$ , is amended to read:
24	§13773. Notice
26	313//3. ROCICE
28	No $\underline{A}$ 3rd-party prescription program may <u>not</u> be instituted in this State until <u>the program provider has filed</u> written notice of
30	the provisions of the program hasbeenfiled with the Superintendent of Insurance and the Board of Commissioners of the Profession of Pharmacy and given written notice to all pharmacies
32	which that are located within the counties covered by the program at least 30 days prior to the commencement of the program. In the
34	case of chain or branch pharmacies, the notice shall must be
36	given to the main office or headquarters. These pharmacies shall have 30 days from the date of notice to enroll in the program.
38	Sec. 2. 32 MRSA §13777, as enacted by PL 1987, c. 710, §5, is amended to read:
40	
42	§13777. Exceptions
44	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
46	Cost Drug Program: to any employee benefit plan that is subject
48	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
50	to the limitations of the Nonprofit Service Organizations
52	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	Sec. 3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.
4	1990-91
8	PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF
10	Bureau of Insurance
12	All Other \$5,000
14 16	Provides funds for additional preferred provider hearings.
18	FISCAL NOTE
20	Allocations: 1990-91
22	Other Special Revenue funds \$5,000
24	Revenue:
26	Other Special Revenue funds \$5,000
28 30 32	The Bureau of Insurance will require an additional allocation and an increase of dedicated revenue through the annual assessment totaling \$5,000 in fiscal year 1990-91, to cover the cost of additional hearings for preferred provider arrangements of 3rd-party prescription drug programs.
34	In addition, the Board of Commissioners of the Profession of
36	Pharmacy will incur minor additional costs related to fili 3rd-party prescription notices that may be absorbed within t board's existing budgeted resources.'
38	board's existing budgeted resources.
40	STATEMENT OF FACT
42	The original bill required that 3rd-party prescription drug programs be subject to the provisions of one of 2 preferred
44	provider arrangement acts and eliminated the provision that all pharmacies must be notified of a new 3rd-party prescription
46	program.
<b>48</b> 50	This amendment eliminates these provisions and exempts those programs that are currently subject to a preferred provider arrangement from all the requirements of the Third-party Prescription Program Act. This amendment also clarifies that the

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

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)