

MAINE STATE LEGISLATURE

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Q
of S.

L.D. 2262

(Filing No. S-586)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 886, L.D. 2262, Bill, "An Act Relating to Pharmacy Services to Nursing Home Residents"

Amend the bill by inserting at the beginning of the first line after the enacting clause (page 1, line 3 in L.D.) the following: 'Sec. 1.'

Further amend the bill in that part designated "\$1829." by striking out all of subsection 2.

Further amend the bill by inserting before the statement of fact the following:

'Sec. 2. Committee established; membership. The Committee to Study the Use of Pharmaceuticals in Nursing Homes is established. Membership consists of one representative appointed by the Maine Committee on Aging; one representative from the Bureau of Medical Services appointed by the director of the bureau; one representative appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of 3 nominees provided by each of the following organizations: the Maine Health Care Association, the Maine Association of Private Residential Facilities for Persons with Developmental Disabilities, the Maine Pharmacists Association, the Maine Nurses Association, the Maine Medical Association, the Long-Term Care Nursing Council and the American Society of Consulting Pharmacists; the executive director of the state employees health insurance program; and 2 consumers of health care services and one Legislator appointed jointly by the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives shall jointly appoint the chair of the committee. All appointments must be made within 30 days of the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When appointment of all members of the committee is completed, the chair shall call the first meeting.

H. of S.

COMMITTEE AMENDMENT "A " to S.P. 886, L.D. 2262

2 **Sec. 3. Duties.** The committee shall consider the following:
 4 the potential for and appearance of conflict of interest for
 6 pharmacists who review individual patient drug regimes in nursing
 8 homes where they provide drugs; the relationship between
 10 physicians who prescribe drugs and pharmacists who review regimes
 12 and the impact of that relationship on the review process; the
 14 barriers to individual resident's ability to choose the pharmacy
 16 from which that resident wishes to purchase medications; the need
 18 for and procedure for conducting an independent, objective and
 appropriate utilization review of medications prescribed and
 delivered to nursing home residents; the current state
 pharmacology review system including its appropriateness, ability
 to protect consumers and ability to identify cost savings; the
 possibility of establishing a state utilization review committee;
 and any other issues related to drug regimes in long-term care
 facilities that the committee determines appropriate.

20 **Sec. 4. Staff.** The Maine Health Policy Advisory Council shall
 22 serve as staff for the committee.

24 **Sec. 5. Report.** The committee shall provide a final report,
 26 together with any recommended legislation, to the Joint Standing
 Committee on Human Resources and to the Office of the Executive
 Director of the Legislative Council by January 15, 1991.

28 **Sec. 6. Expenses.** Members of the committee are not entitled
 to per diem or expenses for meeting attendance.

FISCAL NOTE

32 The Maine Health Policy Advisory Council will provide staff
 34 support for the Committee to Study the Use of Pharmaceuticals in
 Nursing Homes and issue the final report within its budgeted
 resources.'

STATEMENT OF FACT

40 This amendment removes the provision in the original bill
 42 that required that the monthly drug regime review required for
 residents of nursing homes be performed by a pharmacy other than
 the one that supplies the medication.

44 The amendment establishes the Committee to Study the Use of
 46 Pharmaceuticals in Nursing Homes to review the issues relating to
 the provision of pharmaceuticals in nursing homes.

48 Reported by Senator Titcomb for the Committee on Human
 Resources. Reproduced and Distributed Pursuant to Senate
 Rule 12.

(3/15/90)

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