

MAINE STATE LEGISLATURE

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M I N O R I T Y
HUMAN RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 558, L.D. 755, Bill, "An Act to Improve Access to Pharmaceuticals for Rural Health Center Patients"

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 §13702, sub-§25-A is enacted to read:

25-A. Rural health center. "Rural health center" means an incorporated nonprofit health facility that provides comprehensive primary health care to citizens in rural areas.

Sec. 2. 32 MRSA §13761, sub-§1, as enacted by PL 1987, c. 710, §5, is amended to read:

1. Pharmacy provider. "Pharmacy provider" means a pharmacy licensed in this State participating with a rural community health center under this subchapter.

Sec. 3. 32 MRSA §13761, sub-§2, as enacted by PL 1987, c. 710, §5, is repealed.

Sec. 4. 32 MRSA §13762, sub-§§1 and 3, as enacted by PL 1987, c. 710, §5, are amended to read:

1. License required. A rural community health center that desires to contract for pharmaceutical services with a pharmacy

1 must be licensed by the board and shall abide by the rules of the
2 board. These rules may be no more restrictive than those
3 regulating private pharmacy practice in the State. A rural
4 health center is eligible for licensure under this subchapter if:

6 A. It serves a rural area without a pharmacy;

8 B. It is located in a community where available pharmacy
services can not meet the documented need; or

10 C. It requires a license in order to receive pharmaceutical
12 discounts authorized by the federal Veterans' Health Care
14 Act of 1992, Title VI.

16 3. Notice. Any rural community health center wishing to be
17 licensed under this subchapter shall notify the board of its
18 intent to establish such a contract with a pharmacy for
19 pharmaceutical services and shall apply for a license, submit
20 floor plans of the physical plant and pay the same fee required
21 for a pharmacy under section 13723. The application shall must
22 include the name, address and registration number of the provider
of pharmaceutical services.

24 Sec. 5. 32 MRSA §13763, as enacted by PL 1987, c. 710, §5, is
25 amended to read:

26 **§13763. Scope of license**

28 A licensee under this subchapter shall comply with sections
30 section 13784; section 13785, subsections 1 to 7; and any
31 applicable rules promulgated adopted by the board. No licensee
32 may refill a prescription and all orders shall must be treated as
33 new orders. In all other respects, notwithstanding any other
34 provision of law, a licensee may provide pharmaceutical services
35 under this subchapter subject to section 13764. A licensee may
36 purchase drugs.'

38 Further amend the bill by inserting at the end before the
39 statement of fact the following:

40 **FISCAL NOTE**

42 A broadening of the pharmaceutical requirements for rural
43 health centers is likely to increase dedicated revenues collected
44 by the Board of Commissioners of the Profession of Pharmacy from
45 licensure fees. The amounts can not be determined at this time.

48 The Department of Human Services will realize some minor
49 savings in the Medicaid program as a result of pharmaceutical
50 discounts received by rural health centers.'

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STATEMENT OF FACT

This is the minority report of the Joint Standing Committee on Human Resources.

The original bill waived the Maine Pharmacy Act to ensure that rural health centers could enjoy pharmaceutical discounts authorized by the federal Veterans Health Care Act of 1992. Rather than a complete waiver, the amendment makes specific amendments to the Maine Pharmacy Act to clarify that rural health centers may receive those discounts.

The amendment also adds a fiscal note to the bill.