

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 579

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H.P. 422

House of Representatives, February 17, 1995

**An Act to Increase the Availability of Certain Drugs Used to Treat  
Mental Illness.**

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Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FITZPATRICK of Durham.  
Cosponsored by Representatives: DORE of Auburn, ETNIER of Harpswell, JONES of Bar  
Harbor, POVICH of Ellsworth.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 22 MRSA §3174-O is enacted to read:

6 **§3174-O. Medicaid reimbursement for clozaril**

8 The department shall adopt rules that provide for Medicaid  
10 reimbursement for clozaril or its equivalent. The rules must  
12 provide reimbursement for any eligible Medicaid recipient who is  
14 prescribed clozaril by a physician.

16 Sec. 2. 34-B MRSA c. 3, sub-c. VI is enacted to read:

18 **SUBCHAPTER VI**

20 **DRUG THERAPY ACCOUNT**

22 **§3921. Establishment**

24 The department shall establish an interest-bearing dedicated  
26 revenue account to fund drug therapy for people with severe and  
28 prolonged mental illness who have no other means of obtaining  
30 needed drug therapy. All funds and accrued interest not expended  
32 by the end of the year do not lapse, but carry forward into  
34 subsequent years.

36 **§3922. Schedule of covered drugs**

38 Clozaril or its equivalent and additional drugs that are  
40 used by people with severe and prolonged mental illness must be  
42 reimbursable under this subchapter.

44 **§3923. Eligibility**

46 The department shall determine eligibility standards. The  
48 eligibility decision, made by the commissioner or the  
50 commissioner's designee, is final, subject to appeal in  
accordance with the Maine Administrative Procedure Act.  
Eligibility standards must include the following.

1. **Income.** A person meets income standards if the person:

A. Is under 18 years of age and has a household income that  
is 300% or less of the federal poverty level; or

B. Is 18 years of age or older and has a household income  
that is 250% or less of the federal poverty level.

2. **Residence.** An individual must be a resident of the  
State at the time an application is filed.

