

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 775

H.P. 570

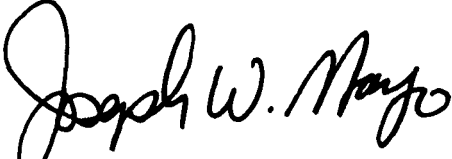
House of Representatives, March 9, 1995

**An Act to Create a Transitional Pharmacy Benefit Program.**

(EMERGENCY)

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Reported by the Majority from the Joint Standing Committee on Human Resources  
pursuant to Joint Order H.P. 434.

  
JOSEPH W. MAYO, Clerk

2           **Emergency preamble. Whereas,** Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           **Whereas,** the 90-day period will not terminate until after  
March 31, 1995; and

8           **Whereas,** the Maine Health Program is scheduled to terminate  
March 31, 1995; and

10           **Whereas,** the enrollees of the Maine Health Program will be  
12 without a health program to cover pharmaceuticals on April 1,  
1995; and

14           **Whereas,** in the judgment of the Legislature, these facts  
16 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
18 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

22           **Sec. 1. Transitional pharmacy benefit program.** The Department  
24 of Human Services shall establish a transitional pharmacy benefit  
program for all persons enrolled in the Maine Health Program on  
26 the date of its termination, March 31, 1995. The program  
consists of the limited pharmacy benefit program and, if  
28 resources permit, a comprehensive pharmacy benefit package. The  
program begins on April 1, 1995 and terminates on June 30, 1995.

30           The Department of Human Services shall provide, within the  
32 limits of the appropriation, a limited pharmacy benefit program  
with priority given to life-sustaining drugs.

34           After planning for the limited pharmacy benefit program, if  
36 the Department of Human Services determines that sufficient  
resources exist to provide further benefits, the department shall  
38 provide, within the limits of the appropriation, a comprehensive  
pharmacy benefit package that is as extensive as possible.

40           In accordance with the requirements of the Maine Revised  
42 Statutes, Title 5, chapter 375, the Department of Human Services  
shall adopt any rules necessary for the implementation and  
44 administration of the transitional pharmacy benefit program.

46           Any balance of the funds remaining on June 30, 1995 in the  
transitional pharmacy benefit program may not lapse but must be  
48 carried forward to December 31, 1995 in order to pay expenses of  
the program remaining from state fiscal year 1994-95. Any

2 balance remaining in the program on December 31, 1995 lapses to  
the General Fund.

4 **Sec. 2. Appropriation.** The following funds are appropriated  
from the General Fund to carry out the purposes of this Act.

6 **1994-95**

8 **HUMAN SERVICES, DEPARTMENT OF**

10 **Medical Care - Payments to Providers**

12 All Other \$200,000

14 Provides funds for a transitional pharmacy  
16 benefit program for the period April 1 to  
June 30, 1995 for adults enrolled in the  
18 Maine Health Program at the time of its  
termination.

20 **Emergency clause.** In view of the emergency cited in the  
22 preamble, this Act takes effect when approved.

24 **FISCAL NOTE**

26 **APPROPRIATIONS/ALLOCATIONS**

**1994-95**

28 General Fund \$200,000

30 This bill provides a General Fund appropriation of \$200,000  
32 to the Department of Human Services in fiscal year 1994-95 to  
provide, within that appropriation, a transitional pharmacy  
34 benefit program to certain adults. There is a projected General  
Fund unappropriated surplus on June 30, 1995 of \$228,990 so that  
36 a balanced budget is maintained.

38 **STATEMENT OF FACT**

40 This bill directs the Department of Human Services to  
42 establish a transitional pharmacy benefit program to provide  
life-sustaining drugs to persons enrolled in the Maine Health  
44 Program on March 31, 1995. The program starts on April 1, 1995,  
and ends on June 30, 1995 and is subject to appropriated  
46 resources. If resources permit, the department is directed to  
provide as comprehensive a pharmacy benefit program as possible,  
48 within the limits of the appropriation. Any balance in the fund  
on June 30, 1995 is carried over until December 31, 1995 to pay

2 expenses of the program. Any balance remaining on December 31,  
1995 lapses to the General Fund.