

MAINE STATE LEGISLATURE

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L.D. 206

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE HOUSE OF REPRESENTATIVES 119TH LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 144, L.D. 206, Bill, "An Act to Create the Maine Tax filer's Prescription Medication Plan"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Establish the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, a comprehensive study of bulk purchasing of prescription drugs and medical supplies is needed to determine whether bulk purchasing could be used to provide Maine residents access to affordable prescription drugs and medical supplies, such a study to be undertaken during the summer and fall of 1999; and

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

Sec. 1. Commission established. Resolved: That there is established the Commission to Study Bulk Purchasing of

COMMITTEE AMENDMENT

Prescription Drugs and Medical Supplies, referred to in this resolve as the "commission"; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 16 members appointed as follows:

1. The President of the Senate shall appoint 6 members, as follows:

A. Two Senators, one from each major political party, representing the Joint Standing Committee on Taxation and the Joint Standing Committee on Health and Human Services. The first-named Senator is the Senate chair;

B. One person from a professional organization representing pharmaceutical manufacturers;

C. One person from a statewide organization representing the concerns of persons with disabilities;

D. One person from a statewide organization representing health care carriers regulated under the Maine Revised Statutes, Titles 24 and 24-A; and

E. One person from a statewide organization representing hospitals;

2. The Speaker of the House of Representatives shall appoint 6 members as follows:

A. Five Representatives, 4 of whom, 2 from each major political party, represent the Joint Standing Committee on Taxation and the Joint Standing Committee on Health and Human Services. The first-named Representative is the House chair; and

B. One person from a statewide organization representing pharmacies; and

3. The Governor shall appoint 4 members as follows:

A. The Director of the Bureau of Medical Services within the Department of Human Services or the director's designee;

B. One person from a statewide organization representing the business community;

C. One person from a statewide organization representing the elderly; and

D. One person from an organization representing low-income persons; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs shall call and convene the first meeting of the commission no later than August 1, 1999; and be it further

Sec. 4. Duties. Resolved: That the commission shall study bulk purchasing of prescription drugs and medical supplies. The commission shall study the need for a bulk purchasing mechanism and the financial benefits and potential savings to private citizens, insurance carriers, self-insured employee health benefit plans and publicly funded health coverage. The commission shall evaluate the potential impact of bulk purchasing on the State's economy and on pharmacies, hospitals and other health care facilities within the State. In its report, the commission shall propose a plan for bulk purchasing that represents the best judgment of a majority of the members of the commission for a bulk purchasing mechanism for the State.

In examining the issue of bulk purchasing of prescription drugs and medical supplies, the commission may examine bulk purchasing mechanisms in use in other states and countries and shall consult with interested parties representing a broad range of views. The commission may expend funds for consultants and experts in the field of prescription drugs and medical supplies.

The commission is authorized to meet as necessary to complete its work, up to a maximum of 12 meetings of the commission and 10 meetings of any subcommittees it elects to form; and be it further

Sec. 5. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Compensation. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission. Public members not otherwise compensated by their employers or other entities are entitled to receive a per diem equal to the legislative per diem for attendance at authorized meetings of the commission. All members of the commission are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The

Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation to the Joint Standing Committee on Health and Human Services by December 1, 1999. If the commission requires a limited extension of time to conclude its work and make its report, it may apply to the Legislative Council, which may grant the extension. Upon submission of its required reports, the work of the commission terminates; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

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Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies

Personal Services	\$12,650
All Other	20,000

Provides funds for the per diem and expenses of legislative and other eligible members of the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies and for consultants and experts in the field of prescription drugs and medical supplies.

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TOTAL	\$32,650
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Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

1999-00

APPROPRIATIONS/ALLOCATIONS

General Fund	\$32,650
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2 This resolve includes an additional General Fund
4 appropriation to the Legislature in the amount of \$32,650 in
6 fiscal year 1999-00 for the per diem and expenses of legislative
8 members and other eligible members of the Commission to Study
Bulk Purchasing of Prescription Drugs and Medical Supplies and
for consultants and experts in the field of prescription drugs
and medical supplies.

10 The additional costs associated with providing staffing
12 assistance to the commission during the interim between
14 legislative sessions can be absorbed by the Legislature utilizing
existing budgeted resources. If an extension of the reporting
16 deadline is granted and the commission requires staffing
assistance during the legislative session, the Legislature may
require an additional General Fund appropriation to contract for
staff services.

18 The Department of Human Services will incur some minor
20 additional costs to participate as a member of the commission.
22 These costs can be absorbed within the department's existing
budgeted resources.'

SUMMARY

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26 This amendment replaces the bill with a resolve and adds an
28 emergency preamble and emergency clause. It establishes the
Commission to Study Bulk Purchasing of Prescription Drugs and
30 Medical Supplies. The 16-member commission is charged with
studying bulk purchasing of prescription drugs and medical
32 supplies and reporting to the Joint Standing Committee on Health
and Human Services by December 1, 1999 a plan for bulk
34 purchasing. The amendment also adds an appropriation section and
a fiscal note to the bill.
36