

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 206

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H.P. 144

House of Representatives, January 11, 1999

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### **An Act to Create the Maine Tax filer's Prescription Medication Plan.**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMOINE of Old Orchard Beach.

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

4 **Sec. 1. 22 MRSA §258 is enacted to read:**

6 **§258. Public prescription drug plan**

8 The department shall establish the Maine Tax Filer's  
10 Prescription Medication Plan, referred to in this section as "the  
12 plan," to acquire prescription medications at the best available  
14 market prices and to make those medications available to  
16 qualified residents of the State.

18 **1. Purchase of prescription medications.** The department  
20 may form and maintain or join wholesale purchasing consortiums  
22 with other states for the purpose of acquiring federally approved  
24 prescription medications directly from manufacturers at the best  
26 available prices.

28 **2. Delivery of prescription medications.** The department  
30 may accept delivery of prescription medications acquired under  
32 this section or may arrange for delivery to pharmacies and  
34 hospitals licensed in this State.

36 **3. Distribution of prescription medications.** Licensed  
38 pharmacies and hospitals within the State may distribute  
40 prescription medications acquired under this section to qualified  
42 residents of the State and may charge them a price for each unit  
44 that is no greater than the wholesale unit price paid by the  
46 department plus 10%. At the end of each month, the pharmacy or  
48 hospital shall send to the department a payment for medications  
50 distributed under this section equal to the total of the unit  
wholesale prices paid by the State.

**4. Qualified residents.** Enrollment in the plan requires  
payment of a \$10 enrollment fee for each person enrolled and  
filing of a personal income tax return for that person, either as  
the tax filer or as a listed dependent. The enrolled person may  
participate in the plan for the 12 months following the date of  
payment of the enrollment fee.

**5. Rulemaking.** The department shall adopt rules to  
implement the plan. Rules adopted pursuant to this subsection  
are routine technical rules as defined in Title 5, chapter 375,  
subchapter II-A.

**SUMMARY**

This bill establishes the Maine Tax Filer's Prescription Medication Plan to provide medications to Maine residents at the

2 lowest available prices through direct purchasing by the  
Department of Human Services.