

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2518

H.P. 1795

House of Representatives, January 24, 2000

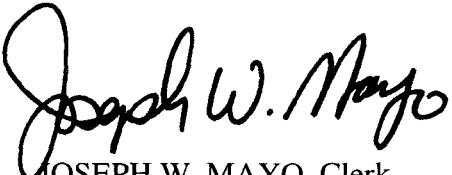
An Act to Amend the Elderly Low-cost Drug Program.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Taxation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative DUDLEY of Portland.

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

4 Whereas, Public Law 1999, chapter 401 amended the elderly
6 low-cost drug program and made people that were eligible for the
program no longer eligible; and

8 Whereas, it is necessary to pass this Act as an emergency so
10 that people may qualify for the elderly low-cost drug program; and

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

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

20 **Sec. 1. 22 MRSA §254, sub-§§9 and 10,** as enacted by PL 1999, c.
401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, are
22 amended to read:

24 **9. Household income.** "Household income," for the purposes
of this section, means all income, as defined in Title 36,
26 section 6201, subsection 9, received by all persons of a
household in a calendar year while members of the household; and

28 **10. Eligible individuals.** To be eligible for the program,
30 an individual must be:

- 32 A. At least 62 years of age; or
- 34 B. Nineteen years of age or older and determined to be
36 disabled by the standards of the federal social security
program; and

38 **Sec. 2. 22 MRSA §254, sub-§11** is enacted to read:

40 **11. Household member retains eligibility.** An individual
42 who is a member of a household and was determined eligible for
the elderly low-cost drug program for any time during the
44 12-month period beginning August 1, 1998 may not be determined
ineligible for the program for as long as the individual's
46 household income meets the criteria set out in subsection 2 and
the individual meets the criteria in Title 36, section 6162-B,
subsections 1 and 2.

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

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SUMMARY

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6 Prior to the amendments to the elderly low-cost drug program
8 adopted by Public Law 1999, chapter 401, Part KKK, effective on
10 August 1, 1999, all members of a household were certified
12 eligible for the elderly low-cost drug program if any household
14 member was determined eligible. This bill ensures that those
household members who were eligible at any time in the 12-month
period beginning August 1, 1998 are not dropped from the program
solely due to the individualized eligibility determinations that
resulted from the amendments to the program that were effective
on August 1, 1999.