

MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 745, L.D. 964, Bill, "An Act to Add Cancer Drugs to the Elderly Low-cost Drug Program"

Amend the bill by inserting after section 1 the following:

Sec. 2. 22 MRSA §254, sub-§4-A, as amended by PL 1999, c. 731, Pt. TT, §7, is repealed and the following enacted in its place:

4-A. Payment for drugs provided. The commissioner shall adopt rules to establish the amount of payment to be made by recipients toward the cost of prescription or nonprescription drugs, medication and medical supplies furnished under this program as provided in this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

A. The total cost for any covered purchase of a prescription or nonprescription drug or medication provided under the basic component of the program, except as provided in paragraph C, or the total cost of any covered purchase of a generic prescription drug or medication under the supplemental component of the program may not exceed 20% of the price allowed for that prescription under program rules or \$2, whichever is greater.

B. For the supplemental component of the program except as otherwise provided in this subsection, the total cost paid by the individual for any covered purchase of a prescription drug or medication may not exceed the cost of the program for that drug or medication less the \$2 paid by the program. The commissioner shall establish annual limits on

COMMITTEE AMENDMENT

2 the costs incurred by eligible household members for covered
3 prescription or nonprescription drugs or medications, after
4 which the program must pay 80% of the cost of all
5 prescription or nonprescription drugs or medications covered
6 by the supplemental component of the program.

7 C. The total cost for any covered purchase of a
8 prescription or nonprescription drug or medication provided
9 under the basic component of the program for the treatment
10 of cancer may not exceed 50% of the price allowed for that
11 drug or medication under program rules.

12 D. The commissioner shall set limits by rule as necessary
13 to operate the program within the program budget.

14
15 **Sec. 3. Appropriation.** The following funds are appropriated
16 from the General Fund to carry out the purposes of this Act.

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	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		

23 **Low-Cost Drugs to Maine's Elderly**

24			
25	All Other	\$2,326,850	\$2,886,808
26			
27	Provides funds to add cancer		
28	to the basic component of the		
29	elderly low-cost drug		
30	program.'		

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

	2001-02	2002-03
33		
34		
35	FISCAL NOTE	
36		
37		

38 **APPROPRIATIONS/ALLOCATIONS**

39			
40	General Fund	\$2,326,850	\$2,886,808
41			

42
43 The low-cost drugs to Maine's elderly program within the
44 Department of Human Services will require additional General Fund
45 appropriations of \$2,326,850 and \$2,886,808 in fiscal years
46 2001-02 and 2002-03, respectively, to add cancer as a disease
47 covered under the basic component of the low-cost drugs to
48 Maine's elderly program with a 50% copayment. These estimates
49 assume that approximately 8.0% of the 45,000 eligible individuals
50 for the elderly low-cost drug program will require prescription

2 drugs and medications for the treatment of cancer, that the cost
per person for the prescription drugs and medications will
4 average \$2,099 in fiscal year 2001-02 and \$2,413 in fiscal year
2002-03, and that the drug manufacturers will provide a rebate of
6 18% of the total program cost of this new disease category. The
cost of this measure may be higher or lower depending on actual
experience.'

8
10

SUMMARY

12 This amendment provides a maximum copayment of 50% for drugs
and medications for the treatment of cancer. The amendment
14 provides that rules adopted regarding copayments by recipients in
the elderly low-cost drug program are routine technical rules.
16 The amendment adds an appropriation and a fiscal note.