

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 135

S.P. 58

In Senate, January 21, 2003

### An Act to Allow Nursing Homes to Use Leftover Medications

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BENNETT of Oxford.

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

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**Sec. 1. Medication rules.** By January 1, 2004, the Department of Human Services, Bureau of Medical Services shall adopt rules for the MaineCare program that allow nursing facilities to use medications that were prescribed for a former resident who has not taken the medications upon discharge. The rules must provide for crediting the MaineCare account of the former resident and charging the MaineCare account of the resident for whom the medications will be used. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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**SUMMARY**

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This bill would require the Department of Human Services, Bureau of Medical Services to adopt rules for the MaineCare program that allow nursing facilities to use medications that were prescribed for a former resident who has not taken the medications upon discharge. The rules would be required to provide for crediting the MaineCare account of the former resident and charging the MaineCare account of the resident for whom the medications will be used. The rules would be required to be in effect by January 1, 2004.