

MAINE STATE LEGISLATURE

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DATE: 5-19-03

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**MAJORITY
HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 209, L.D. 254, Bill, "An Act To Require Full Disclosure of Prescription Drug Marketing Costs"

Amend the bill in section 1 in that part designated "~~\$2699.~~" in subsection 4 in paragraph A in the last line (page 2, line 2 in L.D.) by inserting after the following: "State" the following: 'except for expenses associated with advertising purchased for a regional or national market that includes advertising within the State'

Further amend the bill in section 1 in that part designated "~~\$2699.~~" in subsection 8 in the 4th line (page 3, line 31 in L.D.) by striking out the following: "~~\$10,000~~" and inserting in its place the following: '\$1,000'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. Report. The Department of Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on or before January 1, 2005 and on or before July 1, 2005 on the assessment of fees on manufacturers and labelers of prescription drugs pursuant to the Maine Revised Statutes, Title 22, section 2699 and the use of those fees to support the work of the department with regard to the provisions of Title 22, section 2699.'

COMMITTEE AMENDMENT

Further amend the bill in section 2 in the first line (page 3, line 39 in L.D.) by striking out the following: "January" and inserting in its place the following: 'July'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment exempts from the reporting requirements advertising purchased for a regional or national market, changes the fine from \$10,000 to \$1,000 and changes the effective date to July 1, 2004. The amendment adds a requirement that the Department of Human Services report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2005 and July 1, 2005 regarding assessment of fees on prescription drug manufacturers and labelers and the use of those fees to support the work of the department.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 254

**An Act To Require Full Disclosure of Prescription Drug Marketing
Costs**

LR 0072(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Undetermined current biennium cost increase - Other Special Revenue Funds

Undetermined current biennium revenue increase - Other Special Revenue Funds

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new civil violation

Fiscal Detail and Notes

Any initial start-up costs to the Bureau of Medical Services in the Department of Human Services can be absorbed within existing budgeted resources. The bill requires prescription drug manufacturers pay fees to the Department in addition to submitting reports. The amount of these fees are to be determined by the Department. The timing and amount of revenue collected from these fees, as well as the ongoing costs of the Department can not be determined at this time. The bill assumes the fees will be sufficient to cover additional costs to the Department. Any additional costs to the Office of the Attorney General can be absorbed within existing budgeted resources.