

MAINE STATE LEGISLATURE

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L.D. 1747

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DATE: 3-18-04

(Filing No. H-778)

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 1269, L.D. 1747, Bill, "An
Act To Amend the Medicaid Drug Rebate Program and the Elderly
Low-cost Drug Program"

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Amend the bill by striking out all of section 1 (page 1,
lines 3 to 30 in L.D.) and inserting in its place the following:

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'Sec. 1. 22 MRSA §254, sub-§4-A, as amended by PL 2003, c. 20,
Pt. GGG, §3, is repealed and the following enacted in its place:

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4-A. Payment for drugs provided. The commissioner may
establish the amount of payment to be made by the program and by
recipients of the program toward the cost of drugs and
medications furnished under the program, including covered
prescription and nonprescription drugs, medications and medical
supplies, under the following terms.

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A. For the basic component of the program, the total cost
to a recipient for the purchase of any covered drug or
medication may not exceed the sum of \$2 plus 20% of the
price allowed for that drug or medication under program
rules.

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B. For the supplemental component of the program, the total
cost to a recipient for the purchase of any covered drug or
medication may not exceed:

2 (1) For a brand name drug or medication, the cost of
3 the program for that drug or medication minus the \$2
4 paid by the program; and

5 (2) For a generic drug or medication, the sum of \$2
6 plus 20% of the price allowed for that drug or
7 medication under program rules.

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9 C. For the catastrophic program, the commissioner shall
10 establish annual limits on the costs incurred by recipients
11 for drugs and medications covered under the program on or
12 prior to May 31, 2001. After the limit is reached, the
13 program shall pay 80% of the cost of each drug and
14 medication covered by the supplemental component of the
15 program on May 31, 2001 minus \$2. Any remaining amount is
16 paid by the recipient. The limits must be set by the
17 commissioner by rule as necessary to operate the program
18 within the program budget;'

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22 **SUMMARY**

23 This amendment retains the substance of section 1 that
24 specifies the basic supplemental and catastrophic benefits in the
25 elderly low-cost drug program. It adds \$2 to the recipient's
26 copayment in the catastrophic program.