

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 494

H.P. 369

House of Representatives, February 1, 2005

**An Act To Establish a Program for the Purchase of Prescription
Drugs from out of the State and out of the Country for the Elderly
and Disabled**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAMPBELL of Newfield.

Cosponsored by Representative DRISCOLL of Westbrook, Senator MAYO of Sagadahoc and Representatives: BURNS of Berwick, GLYNN of South Portland, JACOBSEN of Waterboro, LEWIN of Eliot, PINGREE of North Haven, SMITH of Van Buren, WALCOTT of Lewiston, Senator: COURTNEY of York.

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

4 Sec. 1. 22 MRSA §254-C is enacted to read:

6 **§254-C. Prescription drug program for out-of-state
and out-of-country prescription drugs**

8 The department shall establish a prescription drug program
10 to provide access to prescription drugs from out of the State and
12 out of the country, including Canada, to residents of the State
14 who are 62 years of age and older or have disabilities.

16 **1. Definitions.** As used in this section, unless the
18 context otherwise indicates, the following terms have the
20 following meanings.

22 **A. "Member"** means a person who meets the eligibility
24 requirements of subsection 2 and who is enrolled in the
26 program.

28 **B. "Program"** means the prescription drug program under this
30 section.

32 **2. Eligibility.** Residents of the State are eligible for
34 the program if they are 62 years of age or older or have
36 disabilities.

38 **3. Access.** Access to prescription drugs under the program
40 is subject to the requirements of this subsection.

42 **A.** The member must show evidence of use of a pharmacist
44 licensed in the State to coordinate all prescriptions and
46 prevent harmful drug interactions.

48 **B.** The program may provide access to prescription drugs
50 that a member has taken according to prescription for at
52 least 15 days.

C. The program may provide access to prescription drugs
from pharmacies located outside of the State and outside of
the country, including Canada.

D. The program may provide access to prescription drugs
that are brand-name drugs in their original sealed packaging.

E. The program may not provide access to antibiotics for
acute illnesses or prescription drugs for alleviation of
pain that are habit-forming.

4. Testing. The program must include a procedure for
random testing of drugs to ensure purity and safety for the
member.

