

# MAINE STATE LEGISLATURE

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H. & S.

L.D. 1178

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1178, Bill, "An Act Regarding Access to Prescription Drugs and Reimportation"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. Governor's Committee To Study the Feasibility of Importation of Prescription Drugs. The Governor's Office of Health Policy and Finance shall reconvene the Governor's Committee To Study the Feasibility of Importation of Prescription Drugs, referred to in this section as "the committee," and shall change the membership and the duties of the committee as follows.

1. The membership must be changed to ensure that the committee includes representatives of the following entities and interest groups: community pharmacies; the Maine Pharmacy Association; the Office of the Attorney General; consumers; organizations representing elderly persons; pharmacy benefit managers; insurance carriers; Legislators from the Senate and House of Representatives and representatives of the National Legislative Association on Prescription Drug Pricing; the Maine Medical Association; the Department of Health and Human Services; Bureau of Medical Services and Bureau of Elder and Adult Services; and the Department of Professional and Financial Regulation.

2. The duties must be changed to include developing a plan to prepare the State to implement drug reimportation upon approval of the Federal Government through federal legislation or approval of a waiver request. The plan must include the following:

COMMITTEE AMENDMENT

- 2           A. Assessment of other state reimportation legislation and  
4           programs, including implementation, utilization, costs of  
            administration and savings from utilization;
- 6           B. Analysis of the necessary steps to develop an Internet  
8           connection, link or website for pharmacies and wholesale  
10           providers of prescription drugs to uninsured or underinsured  
            residents and a process for certifying those pharmacies and  
            wholesale providers;
- 12           C. Development of procedures for ensuring the health and  
14           safety of participants in the reimportation program;
- 16           D. Review of relevant state laws and rules, including  
18           pharmacy licensing laws, and determination of necessary  
            legislation; and
- 20           E. Assessment of other access, quality, safety and economic  
22           issues related to the design and operation of a  
            reimportation program.
- 24           3. The Governor's Office of Health Policy and Finance must  
            provide necessary staffing services to the committee.
- 26           4. The committee shall report to the Joint Standing  
28           Committee on Health and Human Services by January 15, 2006 or 30  
30           days after the adjournment of the United States Congress,  
32           whichever occurs later. If the United States Congress has passed  
34           a law allowing drug reimportation or if the federal Centers for  
            Medicare and Medicaid Services has granted a waiver application,  
36           the State may move forward with the development of a plan for a  
            reimportation program based on the findings and recommendations  
            of the committee and review by the Joint Standing Committee on  
            Health and Human Services.'

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### SUMMARY

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42           This amendment replaces the bill. It reconvenes the  
44           Governor's Committee To Study the Feasibility of Importation of  
            Prescription Drugs, adds members, adds duties and requires a  
            report to the Joint Standing Committee on Health and Human  
            Services. The amendment authorizes the State to move forward if  
46           the United States Congress passes a law allowing drug  
            reimportation or if a federal waiver is granted.

FISCAL NOTE REQUIRED  
(See attached)



# 122nd MAINE LEGISLATURE

LD 1178

LR 0050(02)

**An Act Regarding Access to Prescription Drugs and Reimportation**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services or the Governor's Office of Health Policy and Finance can be absorbed utilizing existing resources.