

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1310

H.P. 908

House of Representatives, March 15, 2005

An Act To Ensure Rural Access to Prescription Drugs

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINGREE of North Haven.
Cosponsored by Senator DAMON of Hancock and
Representatives: JACKSON of Fort Kent, MERRILL of Appleton, MILLER of Somerville,
PERCY of Phippsburg, SCHATZ of Blue Hill, TRAHAN of Waldoboro, Senator: RAYE of
Washington.

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

4 **CONCEPT DRAFT**
6 **SUMMARY**

8 This emergency bill is a concept draft pursuant to Joint Rule 208.

10 This bill proposes to require the Legislature to undertake
12 an immediate overview of prescription drug policies of the
14 Department of Health and Human Services under all programs in
16 this State that improve access to prescription drugs, including
MaineCare, the elderly low-cost drug program and the Maine Rx
Plus Program, to ensure that rules for these programs do not
limit access to prescription drugs in rural areas.

18 The bill also proposes that an overview of the pharmacy
20 incentive payment be undertaken and an alternative change in the
reimbursement per prescription be considered.

22 This bill proposes to direct the Department of Health and
24 Human Services to undertake emergency rulemaking to implement
26 rules that allow rural clients who are taking consistent
28 schedules of prescription drugs to have 3-month prescriptions and
allow an 8-day window when a prescription drug may be refilled,
an increase from the current 5-day window and the one-month
30 prescription allowed. A client may be considered a rural client
32 if that client lives more than 15 miles from a pharmacy. The
Department of Health and Human Services may also adopt rules that
allow doctors to identify both experimental and likely short-term
34 prescriptions and long-term prescriptions to reduce the rate of
waste from prescriptions that are filled but not used.