

# MAINE STATE LEGISLATURE

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Date: 5/7/07

L.D. 838

(Filing No. H-197)

Minority

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 637, L.D. 838, Bill, "An Act Protecting the Confidentiality of Prescription Information"

Amend the bill in section 1 in §1711-E in subsection 4 in paragraph D in the first line (page 2, line 35 in L.D.) by inserting after the following: "individual" the following: 'or the individual's health care provider'

Amend the bill in section 1 in §1711-E in subsection 4 in paragraph E in the first line (page 2, line 39 in L.D.) by striking out the following: "Transfers" and inserting the following: 'The transfer or use of prescription drug information'

Amend the bill in section 1 in §1711-E in subsection 4 in paragraph E in the last line (page 2, line 41 in L.D.) by striking out the following: "; and" and inserting the following: ';'

Amend the bill in section 1 in §1711-E in subsection 4 in paragraph F in the last line (page 3, line 2 in L.D.) by striking out the following: "prescriber." and inserting the following: 'prescriber; and'

Amend the bill in section 1 in §1711-E in subsection 4 by inserting after paragraph F the following:

'G. The transfer or use of prescription drug information for a purpose listed in section 1711-C, subsection 6, paragraph B, paragraphs D to M and paragraph P, as long as the information is not used for a commercial purpose.'

**SUMMARY**

This amendment is the minority report of the committee. The amendment clarifies that prescriber information may be used for the following:

- 1. Care management communications to an individual's health care provider;

**COMMITTEE AMENDMENT**

A.O.S.

COMMITTEE AMENDMENT "A" to H.P. 637, L.D. 838

1           2. Pharmacy reimbursement, prior authorization and formulary compliance, patient  
2 care management, utilization review, health care research and transfers required by law;  
3 and

4           3. Noncommercial purposes for which disclosure is allowed under the Maine  
5 Revised Statutes, Title 22, section 1711-C, subsection 6, paragraph B, paragraphs D to M  
6 and paragraph P.

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**FISCAL NOTE REQUIRED**  
**(See attached)**



# 123rd MAINE LEGISLATURE

LD 838

LR 56(02)

**An Act Protecting the Confidentiality of Prescription Information**

**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  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Establishes new violations of the Maine Unfair Trade Practices Act.  
The collection of additional fines may also increase General Fund revenue by minor amounts.

### Fiscal Detail and Notes

Any additional costs to the Department of the Attorney General can be absorbed utilizing existing budgeted resources.