

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1176

H.P. 857

House of Representatives, March 7, 2007

An Act Regarding MaineCare Prescription Drug and Tobacco Sales

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINKHAM of Lexington Township. (BY REQUEST)

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

2 **Sec. 1. 22 MRSA §1555-C**, as enacted by PL 2003, c. 444, §2, is repealed.

3 **Sec. 2. 22 MRSA §1555-D**, as enacted by PL 2003, c. 444, §2, is repealed.

4 **Sec. 3. 22 MRSA §3174-M, sub-§2-A, ¶C** is enacted to read:

5 C. A decision for a drug formulary may not be based solely on the amount of the
6 anticipated prescription drug rebate or financial benefits that the State would receive
7 as a result of adding or deleting the drug to the list of drugs subject to reimbursement
8 and coverage under the MaineCare program.

9 **SUMMARY**

10 This bill prohibits Medicaid drug formulary decisions from being based solely on the
11 amount of the anticipated prescription drug rebate or financial benefits that the State
12 would receive as a result of adding or deleting the drug to the list of drugs subject to
13 reimbursement and coverage under the MaineCare program. It also repeals the
14 restrictions on delivery sales and illegal delivery of tobacco products in the State.