MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

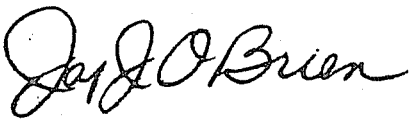
FIRST REGULAR SESSION-2009

Legislative Document **No. 1354**

S.P. 489 In Senate, April 2, 2009

Resolve, Directing the Department of Health and Human Services To Limit Prescriptions for Narcotic Drugs under MaineCare without Prior Authorization

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



JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

Printed on recycled paper

Preamble. Whereas, the proliferation and diversion of narcotic prescription drugs has become a significant public health problem to the people of Maine; and

Whereas, over 150 people die each year in Maine from overdoses of narcotic drugs, many of the drugs paid for through MaineCare prescriptions; and

Whereas, the Department of Health and Human Services received reports of 343 drug-affected babies born in 2008, most of the babies covered by MaineCare; and

Whereas, the overuse and diversion of narcotic prescription drugs is a major cause of addiction, crime, domestic violence, child abuse and neglect, lost worker productivity and burdens on law enforcement and human service agencies; and

Whereas, narcotic prescription drugs can be better controlled if each patient must obtain such drugs through a single prescriber and a single dispenser; and

Whereas, MaineCare's existing prior authorization system is available to impose just such necessary controls; now, therefore, be it

Sec. 1. One prescriber. Resolved: That the Department of Health and Human Services shall amend its MaineCare benefits manual regarding eligibility for reimbursement for narcotic prescription drugs to require that narcotic prescription drugs for each MaineCare patient be prescribed by a single medical provider unless prior authorization from the department is obtained for any 2nd or subsequent prescriber; and be it further

Sec. 2. One dispenser. Resolved: That the Department of Health and Human Services shall amend its MaineCare benefits manual regarding eligibility for reimbursement for narcotic prescription drugs to require that narcotic prescription drugs for each MaineCare patient be dispensed by only one pharmacy or drug dispenser at a time unless prior authorization from the department is obtained to provide narcotic prescription drugs through an alternative dispenser; and be it further

Sec. 3. Durational limits. Resolved: That the Department of Health and Human Services shall amend its MaineCare benefits manual regarding eligibility for reimbursement for narcotic prescription drugs to provide that narcotic prescription drugs for MaineCare patients may not be prescribed for the treatment of pain arising from a noncancerous or nonterminal condition beyond a period of 30 days except by prior authorization for each 30-day renewal; and be it further

Sec. 4. Specialty management. Resolved: That the Department of Health and Human Services shall amend its MaineCare benefits manual regarding eligibility for reimbursement for narcotic prescription drugs to provide that narcotic prescription drugs for MaineCare patients may not be prescribed for the treatment of chronic pain arising from a noncancerous or nonterminal condition except by a physician recognized by MaineCare as having specialized training and expertise in managing patients suffering from chronic pain.

SUMMARY

This resolve directs the Department of Health and Human Services to:

1. Require that narcotic prescription drugs for each MaineCare patient be prescribed by a single medical provider unless prior authorization is obtained;

2. Require that narcotic prescription drugs for each MaineCare patient be dispensed by only one pharmacy or drug dispenser at a time unless prior authorization is obtained;

3. Require that narcotic prescription drugs for MaineCare patients not be prescribed for the treatment of pain arising from a noncancerous or nonterminal condition beyond a period of 30 days except by prior authorization; and

4. Require that narcotic prescription drugs for MaineCare patients not be prescribed for the treatment of chronic pain arising from a noncancerous or nonterminal condition except by a physician recognized by MaineCare as having specialized training and expertise in managing patients suffering from chronic pain.