

MAINE STATE LEGISLATURE

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L.D. 523

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Date: 4/26/21

(Filing No. S-58)

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HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE

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SENATE

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130TH LEGISLATURE

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FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to S.P. 207, L.D. 523, "An Act Regarding Prior Authorizations for Prescription Drugs"

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Amend the bill in section 1 in paragraph D in the first line (page 1, line 4 in L.D.) by inserting after the following: "The" the following: 'prescription drug and'

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Amend the bill by striking out all of section 2 and inserting the following:

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'Sec. 2. 24-A MRSA §4304, sub-§2-B, as enacted by PL 2019, c. 273, §2, is amended to read:

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2-B. Electronic transmission of prior authorization requests. ~~Beginning no later than January 1, 2020, if~~ If a health plan provides coverage for prescription drugs, the carrier must accept and respond to prior authorization requests in accordance with subsection 2 and this subsection through a secure electronic transmission using standards recommended by a national institute for the development of fair standards and adopted by a national council for prescription drug programs for electronic prescribing transactions. For the purposes of this subsection, transmission of a facsimile through a proprietary payer portal or by use of an electronic form is not considered electronic transmission. A carrier's electronic transmission system for prior authorization requests for prescription drugs must comply with the following.

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A. No later than January 1, 2022, unless a waiver is granted by the superintendent, a carrier or entity under contract to a carrier shall make available to a provider in real time at the point of prescribing one or more electronic benefit tools that are capable of integrating with at least one electronic prescribing system or electronic medical record system to provide complete, accurate, timely, clinically appropriate formulary and benefit information specific to an enrollee, including, but not limited to, the estimated cost-sharing amount to be paid by the enrollee, information on any available formulary alternatives that are clinically appropriate and information about the formulary status and the utilization review and prior authorization requirements of each drug presented. Upon a carrier's request, the superintendent may grant a waiver from the requirements of this paragraph based on a demonstration of good cause.

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 523

LR 1615(02)

An Act Regarding Prior Authorizations for Prescription Drugs

Fiscal Note for Bill as Amended by Committee Amendment *"A" (S-58)*
Committee: Health Coverage, Insurance and Financial Services
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Department of Professional and Financial Regulation to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.