MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1729

S.P. 574

In Senate, May 27, 2021

Resolve, To Assess the Feasibility of the Production of Insulin in Maine

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Secretary of the Senate on May 25, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator STEWART of Aroostook. Cosponsored by Representative JAVNER of Chester and Senator: MOORE of Washington, Representatives: CONNOR of Lewiston, GRIFFIN of Levant.

- **Sec. 1. Commission established. Resolved:** That the Department of Health and Human Services shall convene a commission consisting of the following 11 members:
 - 1. The Commissioner of Health and Human Services or the commissioner's designee;
 - 2. A representative of the Department of Health and Human Services, Maine Center for Disease Control and Prevention;
 - 3. A representative of the Maine Biomedical Research Board as established in the Maine Revised Statutes, Title 5, section 13104;
 - 4. A representative of the Department of Professional and Financial Regulation, Maine Board of Pharmacy;
 - 5. A representative of the Department of Professional and Financial Regulation, Bureau of Insurance;
 - 6. A representative of the University of Maine System;

- 7. A resident of the State receiving treatment for diabetes or a representative of an organization that represents or advocates for residents of the State receiving treatment for diabetes;
- 8. Two physicians licensed to practice within the State having expertise in the treatment of diabetes and related complications;
- 9. A research scientist having expertise in the synthesis or production of drugs or biologics, including insulin; and
 - 10. A representative of hospitals and health care providers within the State.
- **Sec. 2. Feasibility assessment. Resolved:** That the commission established in section 1 shall assess the feasibility of producing insulin in the State through the University of Maine System and other appropriate institutions or through a public-private partnership between the University of Maine System, other appropriate institutions and a licensed drug manufacturer. The commission shall also assess the feasibility of providing the insulin produced to low-income residents of the State at low or no cost through hospitals, pharmacies and health care providers in the State or at a reduced cost on a means-tested basis. In its assessment, the commission shall consider various factors including:
 - 1. The number of low-income residents of the State who currently require insulin;
- 2. The ability of the University of Maine System by itself, in partnership with another appropriate institution or through a public-private partnership with a licensed drug manufacturer to produce insulin in an amount sufficient to fulfill the needs of low-income residents of the State who require insulin;
- 3. Any long-term cost savings and revenue generation for the State and the University of Maine System;
- 4. Any long-term cost savings and other benefits to low-income residents of the State who would receive insulin at low or no cost;
- 5. Any costs to the University of Maine System and to the State to produce and distribute insulin, including additional administrative costs;

- 6. State and federal regulatory or legal obstacles, including requirements for licensure, to the production and distribution of insulin within the State by the University of Maine System or other appropriate institutions; and
- 7. Available alternative methods for providing insulin to low-income residents of the State at low or no cost.

The commission shall seek input from members of the Legislature when conducting the assessment required by this section.

Sec. 3. Report. Resolved: That, by January 1, 2022, the commission established in section 1 shall provide a report to the Joint Standing Committee on Health and Human Services that includes its assessment under section 2 of the feasibility of manufacturing insulin in the State and providing such insulin to low-income residents of the State at low or no cost and recommendations, including proposed legislation, for promoting insulin manufacturing in the State through the University of Maine System or a public-private partnership. The Joint Standing Committee on Health and Human Services may introduce legislation on the basis of the commission's report during the Second Regular Session of the 130th Legislature.

SUMMARY

This resolve requires the Department of Health and Human Services to convene a commission consisting of representatives of other government agencies or entities and interested groups to assess the feasibility of having the University of Maine System and other appropriate institutions or a public-private partnership between the University of Maine System, other appropriate institutions and a licensed drug manufacturer produce insulin in the State and provide such insulin at reduced, low or no cost to low-income residents of the State. The resolve requires the commission to assess the feasibility of such a program by reviewing factors including potential savings and additional costs to the University of Maine System and the State, the number of individuals who would benefit from such a program, potential regulatory or legal obstacles, available alternatives to providing insulin to low-income individuals at low or no cost and to seek input from members of the Legislature when making its assessment. The resolve requires the commission to provide a report to the Joint Standing Committee on Health and Human Services by January 1, 2022 and authorizes the committee to introduce legislation based on that report during the Second Regular Session of the 130th Legislature.