

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 405

S.P. 518 - L.D. 1539

### AN ACT to Establish the Third-party Prescription Program Act.

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

32 MRSA c. 41, sub-c. VI is enacted to read:

#### SUBCHAPTER VI

#### THIRD-PARTY PRESCRIPTION PROGRAM ACT

##### §2931. Short title

This Act may be cited as the Third-party Prescription Program Act.

##### §2932. Definition

As used in this Act, "3rd-party prescription program" means any system of providing for the reimbursement of pharmaceutical goods and services under a contractual arrangement or agreement between a provider of goods and services and another party who is not the consumer of those goods and services. These programs include, but are not limited to, insurance plans which provide coverage for prescription drugs or other pharmaceutical services.

##### §2933. Notice

No 3rd-party prescription program may be instituted in this State until written notice of the provisions of this program has been filed with the Superintendent of Insurance and given to all pharmacies which are located within the counties covered by the program at least 30 days prior to the commencement of the program. In the case of chain or branch pharmacies, the notice shall be given to the main or headquarters office. These pharmacies shall have 30 days from the date of notice to enroll in the program.

##### §2934. Denial of payment

No program administrator may deny payment for services to any pharmacy which may have resulted from the fraudulent or illegal use of an identification

card by any person, unless the pharmacy has been notified that the card has been canceled or discontinued and that the program administrator has been unsuccessful in attempting to regain possession of the card.

§2935. Reimbursement rates

A 3rd party prescription program is prohibited from charging a pharmacy a registration fee or other fixed charges, either annually or otherwise, except in cases where a charge is necessary to specifically cover any equipment, forms or materials required by the program.

§2936. Contract renewal and changes

Any change in benefits or provisions in any contract cannot be made unilaterally by either the program administrator or the pharmacy. Any change in a contract offered to one pharmacy shall be offered to all the state pharmacies participating in the program.

§2937. Exceptions

This Act does not apply to any medical assistance or public health programs administered by the Department of Human Services, including, but not limited to, the Maine Medicaid Program, the Catastrophic Illness Program and the Drugs for the Elderly Program.

Effective September 23, 1983.

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## CHAPTER 406

S.P. 61 - L.D. 167

### AN ACT to Prohibit Residency Requirements for Municipal Employees.

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

Sec. 1. 30 MRSA §2152-A, as enacted by PL 1977, c. 491, §2, is repealed.

Sec. 2. 30 MRSA §2152-B is enacted to read:

§2152-B. Residency requirement; ordinances and collective bargaining