

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

If the task force requires an extension of the reporting deadline, it may apply to the Legislative Council, which may grant the extension.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 17, 1999.

CHAPTER 75

H.P. 144 - L.D. 206

Resolve, to Establish the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a comprehensive study of bulk purchasing of prescription drugs and medical supplies is needed to determine whether bulk purchasing could be used to provide Maine residents access to affordable prescription drugs and medical supplies, such a study to be undertaken during the summer and fall of 1999; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That there is established the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies, referred to in this resolve as the "commission"; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 12 members appointed as follows:

1. The President of the Senate shall appoint 5 members as follows:
 - A. Two Senators, one from each major political party. The first-named Senator is the Senate chair;
 - B. One person from a professional organization representing pharmaceutical manufacturers;
 - C. One person from a statewide organization representing health care carriers regulated under

the Maine Revised Statutes, Titles 24 and 24-A; and

D. One person from a statewide organization representing hospitals;

2. The Speaker of the House of Representatives shall appoint 5 members as follows:

A. Four Representatives, 2 from each major political party. The first-named Representative is the House chair; and

B. One person from a statewide organization representing pharmacies; and

3. The Governor shall appoint 2 members as follows:

A. The Director of the Bureau of Medical Services within the Department of Human Services or the director's designee; and

B. One person from a statewide organization representing pharmaceutical wholesalers; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs shall call and convene the first meeting of the commission no later than July 30, 1999; and be it further

Sec. 4. Duties. Resolved: That the commission shall study bulk purchasing of prescription drugs and medical supplies. The commission shall study the need for a bulk purchasing mechanism and the financial benefits and potential savings to private citizens, insurance carriers, self-insured employee health benefit plans and publicly funded health coverage. The commission shall evaluate the potential impact of bulk purchasing on the State's economy and on pharmacies, hospitals and other health care facilities within the State. In its report, the commission shall propose a plan for bulk purchasing that represents the best judgment of a majority of the members of the commission for a bulk purchasing mechanism for the State.

In examining the issue of bulk purchasing of prescription drugs and medical supplies, the commission may examine bulk purchasing mechanisms in use in other states and countries and shall consult with interested parties representing a broad range of views.

The commission is authorized to meet as necessary to complete its work, up to a maximum of 4 meetings of the commission; and be it further

Sec. 5. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Compensation. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission and are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation to the Joint Standing Committee on Health and Human Services by December 1, 1999. If the commission requires a limited extension of time to conclude its work and make its report, it may apply to the Legislative Council, which may grant the extension. Upon submission of its required reports, the work of the commission terminates; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

LEGISLATURE

Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies

Personal Services	\$1,320
All Other	1,700

Provides funds for the per diem and expenses of legislative members for 4 meetings of the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies and to print the required report.

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TOTAL	\$3,020
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Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 17, 1999.

CHAPTER 76

H.P. 1313 - L.D. 1896

Resolve, to Increase Certain Reimbursement Rates under the Medicaid Program

PART A

Sec. A-1. Commissioner of Human Services directed to increase to at least \$20 per service the allowed reimbursement to providers of chiropractic manipulation under the Medicaid program. Resolved: That the Commissioner of Human Services shall increase to at least \$20 per service the allowed reimbursement to providers of Medicaid services that involves chiropractic manipulation effective October 1, 2000; and be it further

Sec. A-2. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers

All Other	\$123,885
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Provides funds for the state share of the increase in the reimbursement for chiropractic manipulation services under the Medicaid program.

; and be it further

Sec. A-3. Allocation. Resolved: That the following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers

All Other	\$243,345
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