MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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

CHAPTER 404

H.P. 708 - L.D. 923

An Act to Require That the Principles for Reimbursement for Private Nonmedical Institutions and Board and Care Institutions be Major Substantive Rules

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

Sec. 1. 22 MRSA §3174-Z is enacted to read:

§3174-Z. Private, nonmedical and board and care institutions

Rules concerning the principles for reimbursement for private, nonmedical and board and care institutions must be major substantive rules as defined in Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 405

S.P. 560 - L.D. 1722

An Act to Recognize Exemplary Efforts to Lower the Cost of Prescription Drugs

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

Sec. 1. 22 MRSA §254, sub-§8-B is enacted to read:

8-B. Action with regard to nonparticipating manufacturers and labelers. The names of manufacturers and labelers who do and do not enter into rebate agreements pursuant to subsection 8 are public information. The department shall release this information to health care providers and the public on a regular basis and shall publicize participation by manufacturers and labelers that is of particular benefit to the public.

Sec. 2. 22 MRSA §2681, sub-§7, as enacted by PL 1999, c. 786, Pt. A, §3, is amended to read:

7. Action with regard to nonparticipating manufacturers and labelers. The names of manufacturers and labelers who do and do not enter into rebate agreements pursuant to this subchapter are public information. The department shall release this information to health care providers and the public on a regular basis and shall publicize participation by manufacturers and labelers that is of particular benefit

to the public. The department shall impose prior authorization requirements in the Medicaid program under this Title, as permitted by law, for the dispensing of prescription drugs provided by those manufacturers and labelers.

Sec. 3. Effective date. This Act takes effect on the date that the Department of Human Services begins offering prescription drug benefits under the Maine Rx Program as defined in the Maine Revised Statutes, Title 22, section 2681.

See title page for effective date, unless otherwise indicated.

CHAPTER 406

S.P. 547 - L.D. 1693

An Act to Amend the Comprehensive Planning and Land Use Regulation Laws

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

Sec. 1. 30-A MRSA §4301, sub-§§6-B and 13-A are enacted to read:

6-B. Impact fee ordinance. "Impact fee ordinance" means an ordinance that establishes the applicability, formula and means by which impact fees are assessed.

13-A. Rate of growth ordinance. "Rate of growth ordinance" means a land use ordinance or other rule that limits the number of building or development permits issued by a municipality or other jurisdiction over a designated time frame.

Sec. 2. 30-A MRSA §4312, sub-§4, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

4. Limitation on state rule-making authority. The office is authorized to adopt rules necessary to carry out the purposes of this subchapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. This section shall may not be construed to grant any separate regulatory authority to any state agency beyond that necessary to implement this subchapter.

Sec. 3. 30-A MRSA §4314, as amended by PL 1993, c. 721, Pt. A, §1 and affected by Pt. H, §1, is further amended to read:

§4314. Transition; savings clause