

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

CHAPTER 195
S.P. 910 - L.D. 2286

**Resolve, Implementing the
Recommendations of the
Commission To Study Primary
Care Medical Practice**

Sec. 1. Patient-centered medical home.

Resolved: That the Governor's Office of Health Policy and Finance and the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009 on activities for implementing a multipayor patient-centered medical home pilot project. The report shall include specific recommendations for the application of the medical home concept to the MaineCare program and any legislation necessary for implementation. The pilot project must include specific standards for quality, access and integration as well as standards for appropriate reimbursement for medical home physicians; and be it further

Sec. 2. Physician fee schedule. Resolved:

That the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009 on activities for implementing a single physician fee schedule for the MaineCare program. The report shall include specific recommendations for adequate reimbursement for physicians who serve as a patient's medical home under the patient-centered medical home model; and be it further

Sec. 3. Streamline MaineCare procedures for cost-effective prescribers. Resolved: That the Governor's Office of Health Policy and Finance and the Department of Health and Human Services, Office of MaineCare Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009 on activities for implementing processes similar to those that are in place for specialists that will exempt primary care physicians and other practitioners who demonstrate a history of cost-effective prescribing that meets the needs of patients from certain preauthorization requirements; and be it further

Sec. 4. Provide flexibility in dispensing prescribed medications. Resolved: That the Governor's Office of Health Policy and Finance, the Maine Board of Pharmacy and the Department of Health and Human Services, Office of MaineCare Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009 on the feasibility of adopting flexible pharmacy dispensing standards. The report must assess the prospect of allowing a pharmacist to dispense prescribed medication

in a dosage that varies from the prescription but is equivalent to the overall dosage prescribed. The report must include an analysis of the impact on patient medication compliance and costs to the health care system and MaineCare as well as other unintended consequences.

See title page for effective date.

CHAPTER 196
S.P. 784 - L.D. 1990

**Resolve, To Prevent Domestic
Violence and Protect Our
Citizens**

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

Whereas, the effects of deadly domestic violence and its impact on the State's public health system and social services system are far-reaching; and

Whereas, it is imperative that the State explore adoption of a comprehensive strategy and network to address the many challenges surrounding domestic violence and protecting the State's citizens and communities; and

Whereas, as a part of this comprehensive policy, it is imperative that the State reach out to all persons affected by domestic violence, whether a victim, a family member or friend, community members, community organizations, victim services groups or law enforcement in order to gather the necessary information to ascertain what programs are working and what additional programs are needed to reach our underserved populations; 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. Review of supports and protections. Resolved: That the Department of Public Safety shall undertake a comprehensive review of the measures currently in place to support and protect victims and potential victims of domestic violence. In undertaking this review, the department shall consider:

1. The ability of domestic violence advocacy offices in this State to provide sufficient support, referrals, resources and protection for domestic violence victims given current levels of funding;

2. The establishment of a program to gather input and comments from victims and their families, com-