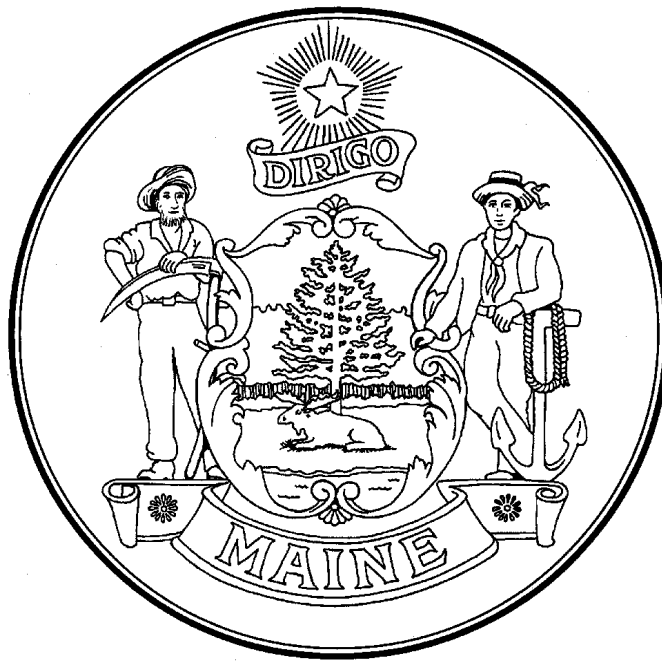


MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION**



**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION

JUNE 1990**

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD 2026 **An Act to Amend Continuing Educational Requirements for
Licensed Insurance Agents, Brokers and Consultants**

PUBLIC 625

SPONSOR(S)
ALLEN
CURRAN

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill brings the initiation date for continuing education as a condition for insurance agent license renewal into line with the regular renewal date for these licenses.

LD 2075 **An Act to Require That Pharmacists Dispense Generic Drugs
When Allowed by the Physician (Reported Pursuant to a Study
Authorized by the Legislative Council)**

ONTP

SPONSOR(S)

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires a pharmacist to substitute a generic drug for a branded drug when such substitution is authorized by a physician. Upon being shown the cost savings, the purchaser has the option of refusing the substitution. Currently, such substitution by the pharmacist is allowed but not required and there is no provision for the purchaser to refuse the substitution. The bill requires that the full savings from this substitution be passed on to the consumer. Present law only requires that the generic drug be no more expensive to the consumer than the branded drug. In an oversight, the bill fails to remove the latter provision.

LD 2080 **An Act to Require That Certain 3rd-party Prescription Drug
Programs Be Subject to the Provisions of the Appropriate
Preferred Provider Arrangement Act (Reported Pursuant to a
Study Authorized by the Legislative Council)**

PUBLIC 720

SPONSOR(S)

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-543

SUMMARY

This bill accomplishes the following.

1. It requires that 3rd-party prescription drug programs be subject to the provisions of one or the other of 2 preferred provider arrangement acts;
2. It makes clear that it is the program provider who is obliged to file the notice of the provisions of a new 3rd-party prescription drug program and changes the recipient of the filing from the Superintendent of Insurance to the Board of Commissioners of the Profession of Pharmacy; and
3. It eliminates the provision that all pharmacies must be notified of a new 3rd-party prescription program.

Committee Amendment "A" eliminates numbers 1 and 3 of the provisions of the bill and exempts those programs that are currently subject to a preferred provider arrangement from all the requirements of the Third-party Prescription Program Act. This amendment also clarifies that the Third-party Prescription Program Act does not apply to plans that are subject to the federal Employee Retirement Income Security Act of 1974, ERISA.