

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2001*

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**120th Legislature  
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees  
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

*CARRIED OVER*..... *Bill Carried Over to Second Regular Session*  
*CON RES XXX*..... *Chapter # of Constitutional Resolution passed by both Houses*  
*CONF CMTE UNABLE TO AGREE*..... *Committee of Conference unable to agree; bill died*  
*DIED BETWEEN BODIES*..... *House & Senate disagree; bill died*  
*DIED IN CONCURRENCE*..... *One body accepts ONTP report; the other indefinitely postpones the bill*  
*DIED ON ADJOURNMENT*..... *Action incomplete when session ended; bill died*  
*EMERGENCY*..... *Enacted law takes effect sooner than 90 days*  
*FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... *Emergency bill failed to get 2/3 vote*  
*FAILED ENACTMENT/FINAL PASSAGE*..... *Bill failed to get majority vote*  
*FAILED MANDATE ENACTMENT*..... *Bill imposing local mandate failed to get 2/3 vote*  
*NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*  
*INDEF PP*..... *Bill Indefinitely Postponed*  
*ONTP*..... *Ought Not To Pass report accepted*  
*OTP ND*..... *Committee report Ought To Pass In New Draft*  
*OTP ND/NT*..... *Committee report Ought To Pass In New Draft/New Title*  
*P&S XXX*..... *Chapter # of enacted Private & Special Law*  
*PUBLIC XXX*..... *Chapter # of enacted Public Law*  
*RESOLVE XXX*..... *Chapter # of finally passed Resolve*  
*UNSIGNED*..... *Bill held by Governor*  
*VETO SUSTAINED*..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

*David E. Boulter, Director*  
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## Joint Standing Committee on Health and Human Services

**Committee Amendment "A" (H-548)** is the majority report of the committee. It proposed to add an appropriation section and a fiscal note to the resolve.

**LD 1535**

**Resolve, to Allow Medicaid Reimbursement for Certain Drugs  
Without Requiring Prior Authorization**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP      MAJ OTP-AM    MIN	

LD 1535 proposed to prohibit the Department of Human Services from requiring prior authorization to provide Medicaid reimbursement for drugs for the treatment of cancer, human immunodeficiency virus, mental illness, asthma, hypertension, diabetes, migraine, epilepsy, arterial lateral sclerosis, arthritis and Alzheimer's disease.

**Committee Amendment "A" (S-254)** is the minority report of the Committee on Health and Human Services. The amendment proposed to replace the resolve and provide a new title. The amendment proposed to require the Department of Human Services to adopt rules by November 1, 2001 regarding prior authorization for prescription drugs under the Medicaid program.

The amendment also proposed to add a fiscal note to the bill.

See also LD 1722.

**LD 1542**

**An Act to Create the Prescription Assistance Program**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL PEAVEY	ONTP	

LD 1542 proposed to establish the prescription assistance program to provide help to residents of this State of all ages who have unusually high prescription drug costs whose family incomes were below 300% of the nonfarm income official poverty line. The program would require enrollees to pay the first \$1,000 of prescription drug expenses. After paying that amount, the enrollee would receive program benefits that pay 80% of the cost of the drugs. The enrollee would pay 20%. The program would encourage the use of generic drugs and would not pay benefits toward prescribed drugs for which there was an over-the-counter pharmacological equivalent. The program would be administered in coordination with the Elderly Low-Cost Drug program and the Medicaid program. In administering the program, the Department of Human Services could enter into contracts, could use mail order service and could use a pharmaceutical benefits manager. The program would be required to operate within its budget and the Commissioner of Human Services could alter program terms to do so. The Department of Human Services would be required to adopt rules to implement the program.