

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).

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
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Health and Human Services

LD 1706

An Act to Reduce the Cost of Administration of the Medicaid Program

ONTP

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1706 proposed to require the Department of Human Services to demonstrate that development of a system of in-house capability to process medical claims would result in cost savings to the State.

LD 1722

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

PUBLIC 405

<u>Sponsor(s)</u> LONGLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-287
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LD 1722 proposed to establish the Business Advisory Committee on Prescription Drug Costs and Efficiencies. The committee would be directed to conduct a study concerning outpatient prescription drug prices in the State and obtain comparable pricing from other states and countries. The committee would be charged with creating model discount and rebate agreements using existing pharmaceutical discount purchasing and assistance programs such as those offered through Medicaid, the federal Department of Veterans Affairs, public health services and other successful programs in other states and countries to secure the highest discounts and rebates available on prescription drugs.

This bill also proposed to direct the Department of Human Services to publicize the names of the pharmaceutical companies that participate and do not participate in the Maine Rx Program, established in the Maine Revised Statutes, Title 22, section 2681, and the Elderly Low-Cost Drug program, established in Title 22, section 254.

This bill proposed to enact a program to encourage prescription drug manufacturers and labelers to voluntarily reduce the cost of drugs paid by Maine residents and by public programs to assist in the purchase of prescription drugs and the per unit cost of prescription drugs dispensed in the State. It proposed to set goals for cost reduction and require manufacturers and labelers to file annual progress reports stating their efforts to assist in the achievement of the State's goals and the costs of their drugs dispensed in the State. The bill proposed to require the Commissioner of Human Services to file an annual report with the Legislature recognizing exemplary efforts and including recommendations for action and the names of manufacturers and labelers worthy of public recognition for their effort or those names of manufacturers and labelers that merit attention for their lack of effort.

Committee Amendment "A" (S-287) proposed to remove from the bill all provisions except those pertaining to the reporting of information regarding manufacturers and labelers of prescription drugs that participate and do not participate in the Maine Rx Program. The amendment proposed to add a provision making the Act effective on the date that prescription drug benefits are provided under the Maine Rx Program. The amendment also proposed to add a fiscal note.

Joint Standing Committee on Health and Human Services

Enacted law summary

Public Law 2001, chapter 405 directs the Department of Human Services to publicize the names of the pharmaceutical companies that participate and do not participate in the Maine Rx Program, established in the Maine Revised Statutes, Title 22, section 2681, and the Elderly Low-Cost Drug program, established in Title 22, section 254.

Public Law 2001, chapter 405 takes effect on the date that prescription drug benefits are provided under the Maine Rx Program.

LD 1744 **An Act to Ensure Patient Access to Medicines** **ONTP**

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

LD 1744 proposed to establish standards and criteria governing the establishment and operation of a prescription drug prior authorization system instituted by the Department of Human Services.

Committee Amendment "A" (S-255), the minority report of the Joint Standing Committee on Health and Human Services, proposed to replace the bill. 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.

LD 1755 **An Act to Provide for a Smoking Cessation Program for Pregnant Women** **ONTP**

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

LD 1755 proposed to require the Department of Human Services to establish a smoking cessation program to decrease and eliminate smoking among pregnant women. The program would include information, testing and incentives. An evaluation component would include smoking rates and percentages of babies born with low birth weights.

Committee Amendment "A" (S-221), the minority report of the Joint Standing Committee on Health and Human Services, proposed to require the smoking cessation program for pregnant women be implemented with existing funds. It proposed to add a fiscal note to the bill.