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HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 466, L.D. 1504, Bill, “An Act To Protect Consumers from Unfair Practices Related to Pharmacy Benefits Management”

Amend the bill in section 8 in §4347 by striking out all of subsection 3 (page 2, lines 3 to 6 in L.D.) and inserting the following:

3. Carrier. "Carrier" has the same meaning as in section 4301-A, subsection 3, except that "carrier" does not include a multiple-employer welfare arrangement, as defined in section 6601, subsection 5, if the multiple-employer welfare arrangement contracts with a 3rd-party administrator to manage and administer health benefits, including benefits for prescription drugs. "Carrier" also includes the MaineCare program pursuant to Title 22, chapter 855 and the group health plan provided to state employees and other eligible persons pursuant to Title 5, section 285.'

Amend the bill in section 8 in §4349 in subsection 4 in paragraph A in the first line (page 5, line 18 in L.D.) by striking out the following: "copayment" and inserting the following: 'cost-sharing amount'

Amend the bill in section 8 in §4349 in subsection 4 by striking out all of paragraph C (page 5, lines 22 and 23 in L.D.) and inserting the following:

'C. The total amount the pharmacy will be reimbursed for the prescription drug from the pharmacy benefits manager or carrier, including the cost-sharing amount paid by a covered person.'

Amend the bill in section 8 in §4350-A by striking out all of subsection 1 (page 7, lines 30 to 34 in L.D.) and inserting the following:

1. Compensation used to reduce point-of-sale costs, improve benefits or lower premiums. All compensation remitted by or on behalf of a pharmaceutical manufacturer, developer or labeler, directly or indirectly, to a carrier, or to a pharmacy benefits manager under contract with a carrier, related to its prescription drug benefits must be:

A. Remitted directly to the covered person at the point of sale to reduce the out-of-pocket cost to the covered person associated with a particular prescription drug; or

COMMITTEE AMENDMENT

