

## §258. Healthy Maine Prescription Program

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Elderly low-cost drug program" means the program established as part of the Healthy Maine Prescription Program pursuant to section 254-D. [PL 2005, c. 401, Pt. C, §2 (AMD).]

B. "Prescription program" means the Healthy Maine Prescription Program established in this section. [PL 2001, c. 293, §5 (NEW).]  
[PL 2005, c. 401, Pt. C, §2 (AMD).]

**2. Program established.** The Healthy Maine Prescription Program is established as the Medicaid prescription drug discount program authorized pursuant to 42 United States Code, Section 1315, as amended, and the waiver project authorized under that section.  
[PL 2001, c. 293, §5 (NEW).]

**3. Administration; components.** The department shall administer the prescription program. The elderly low-cost drug program is a component of the prescription program.  
[PL 2001, c. 293, §5 (NEW).]

**4. Benefit eligibility.** Benefits are subject to the following provisions.

A. An individual enrolled in both the elderly low-cost drug program and the prescription program is eligible for the more generous discount authorized under either program in the event overlapping benefits exist. [PL 2001, c. 293, §5 (NEW).]

B. If a drug rebate is paid for any prescription under the prescription program, a rebate is not due under the elderly low-cost drug program. [PL 2001, c. 293, §5 (NEW).]

C. The department shall issue a single certificate for eligibility to an individual who is eligible for both the benefit under the elderly low-cost drug program and the benefit under the prescription program. [PL 2001, c. 293, §5 (NEW).]  
[PL 2001, c. 293, §5 (NEW).]

**5. Copayments.** Notwithstanding section 3173-C, a beneficiary of the prescription program shall make the copayments authorized under the prescription program and the elderly low-cost drug program.  
[PL 2001, c. 293, §5 (NEW).]

**6. Report.** On or before January 15th each year, the department shall report to the Legislature on the prescription program.  
[PL 2001, c. 293, §5 (NEW).]

**7. Rules.** The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.  
[PL 2001, c. 293, §5 (NEW).]

**8. Transition.** When benefits are not available under this section, the commissioner may provide benefits under pharmaceutical benefits programs that were in effect on May 26, 2001.  
[PL 2001, c. 467, Pt. B, §1 (NEW); PL 2001, c. 467, Pt. B, §4 (AFF).]

### SECTION HISTORY

PL 2001, c. 293, §5 (NEW). PL 2001, c. 467, §B1 (AMD). PL 2001, c. 467, §B4 (AFF). PL 2005, c. 401, §C2 (AMD).

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