

§2682. Display of Maine Rx Plus Program participation information

A drug dispensed pursuant to prescription, including a drug dispensed without charge to the consumer, must be accompanied by program participation information in a manner approved by the commissioner and as permitted by law. [PL 2001, c. 471, Pt. E, §5 (AMD); PL 2001, c. 471, Pt. E, §8 (AFF).]

1. Exceptions. The requirements of this section do not apply to:

A. A drug dispensed to a consumer who has health coverage that pays part or all of the retail cost of the drug; [PL 2001, c. 379, §1 (NEW).]

B. A generic drug; or [PL 2001, c. 379, §1 (NEW).]

C. A drug of a manufacturer or labeler that has entered into an agreement with the department pursuant to section 2681, subsection 3. [PL 2001, c. 379, §1 (NEW).]

[PL 2001, c. 379, §1 (NEW).]

2. Rulemaking. The commissioner shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter II-A. [PL 2001, c. 379, §1 (NEW).]

3. Program participation information.

[PL 2001, c. 471, Pt. E, §6 (RP); PL 2001, c. 471, Pt. E, §8 (AFF).]

3-A. Program participation information. The rules must provide for the disclosure of program participation information, including, but not limited to, the following:

A. Notification that the manufacturer or labeler has not entered into an agreement with the Department of Health and Human Services pursuant to section 2681, subsection 3; and [PL 2001, c. 471, Pt. E, §7 (NEW); PL 2001, c. 471, Pt. E, §8 (AFF); PL 2003, c. 689, Pt. B, §6 (REV).]

B. Advice to consult a health care provider or pharmacist about access to drugs at lower prices. [PL 2001, c. 471, Pt. E, §7 (NEW); PL 2001, c. 471, Pt. E, §8 (AFF).]
[PL 2001, c. 471, Pt. E, §7 (NEW); PL 2001, c. 471, Pt. E, §8 (AFF); PL 2003, c. 689, Pt. B, §6 (REV).]

4. Separate writing. The requirements of this section may be met by the distribution of a separate writing that is approved by or produced and distributed by the department. [PL 2001, c. 379, §1 (NEW).]

5. Waivers. The rules must provide for waivers to the requirements of this section, particularly when the manufacturer or labeler is negotiating with the commissioner pursuant to section 2681, subsection 3.

[PL 2001, c. 379, §1 (NEW).]

SECTION HISTORY

PL 2001, c. 379, §1 (NEW). PL 2001, c. 471, §§5-7 (AMD). PL 2001, c. 471, §E8 (AFF). PL 2003, c. 494, §9 (AMD). PL 2003, c. 689, §B6 (REV).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November

1. 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.