

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
S.P. 821 - L.D. 2005

An Act Regarding Mail Order Delivery of Prescription Drugs

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §4349, sub-§7 is enacted to read:

7. Covered persons using mail order pharmacy; access to prescription drugs. If a covered person is using a mail order pharmacy, the pharmacy benefits manager shall allow for the dispensing of the covered person's prescription drug at a network pharmacy under the following circumstances to ensure that the covered person has access to prescription drugs.

A. If the prescription is delayed by more than one day after the expected delivery date provided by the mail order pharmacy, the network pharmacy shall provide the covered person up to a 7-day supply or the smallest prepackaged unit supply of the prescription drug.

B. If the prescription drug arrives in an unusable condition, the network pharmacy shall provide the prescription drug in accordance with the covered person's prescription.

A covered person that receives a prescription drug pursuant to paragraph A or B may not be subject to any payment that exceeds the total of one copayment, coinsurance payment or other out-of-pocket payment for the dispensing of that prescription drug.