



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1429

S.P. 441

In Senate, March 28, 2019

### An Act To Fund Opioid Use Disorder Prevention and Treatment

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative McCREIGHT of Harpswell and  
Senators: CLAXTON of Androscoggin, DILL of Penobscot, GRATWICK of Penobscot,  
SANBORN, H. of Cumberland, VITELLI of Sagadahoc, Representatives: BEEBE-CENTER  
of Rockland, PERRY of Calais.

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

2 **Sec. 1. 5 MRSA §20010** is enacted to read:

3 **§20010. Opioid Use Disorder Prevention and Treatment Fund**

4 **1. Fund established.** The Opioid Use Disorder Prevention and Treatment Fund,  
5 referred to in this section as "the fund," is established for the purpose of supporting opioid  
6 use disorder analysis, prevention and treatment and is administered by the department.  
7 The fund consists of money received from proceeds from the prescription opioid impact  
8 fee under subsection 3 and appropriations, allocations and contributions from private and  
9 public sources. The fund must be held separate and apart from all other money, funds  
10 and accounts. Eligible investment earnings credited to the assets of the fund become part  
11 of the assets of the fund. Any unexpended balances remaining in the fund at the end of  
12 any fiscal year do not lapse and must be carried forward to the next fiscal year.

13 **2. Uses of fund proceeds.** The proceeds of the fund must be used for the following  
14 purposes:

15 A. Opioid addiction prevention services;

16 B. Opioid addiction treatment services, including:

17 (1) Inpatient and outpatient treatment programs and facilities, including short-  
18 term and long-term residential treatment programs and sober living facilities;

19 (2) Treating substance use disorder for the underinsured and uninsured; and

20 (3) Research regarding opioid addiction prevention and treatment; and

21 C. The department's reasonable expenses in administering the fund.

22 The department shall award grants and contracts from proceeds of the fund to persons and  
23 organizations to carry out the purposes of the fund.

24 **3. Prescription opioid impact fee.** A manufacturer of prescription opioid drugs  
25 shall pay a prescription opioid impact fee on prescription opioid drugs manufactured by  
26 the manufacturer that are distributed in the State. The fee under this subsection is 2¢ per  
27 morphine milligram equivalent for each prescription opioid drug of the manufacturer  
28 distributed in the State. The department shall collect this fee pursuant to rules adopted by  
29 the department and deposit the proceeds from the fee into the fund.

30 **4. Rules.** The department shall adopt rules to carry out the purposes of this section.  
31 Rules adopted under this subsection are routine technical rules as defined in chapter 375,  
32 subchapter 2-A.

33 **SUMMARY**

34 This bill establishes the Opioid Use Disorder Prevention and Treatment Fund  
35 administered by the Department of Health and Human Services for the purpose of  
36 supporting opioid use disorder analysis, prevention and treatment. The fund is funded by  
37 a 2¢ fee per morphine milligram equivalent assessed against prescription opioid drug

1 manufacturers for prescription opioid drugs distributed in the State as well as  
2 appropriations, allocations and contributions from private and public sources.