

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Date: (Filing No. S- )

**JUDICIARY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 484, L.D. 1406, Bill, “An Act To Promote Prescription Drug Price Transparency”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 22 MRSA §8712, sub-§5** is enacted to read:

**5. Prescription drug information.** By December 1, 2018 and annually thereafter, the organization shall provide a report containing the following information about prescription drugs, both brand name and generic:

- A. The 25 most frequently prescribed drugs in the State;
- B. The 25 costliest drugs as determined by the total amount spent on those drugs in the State; and
- C. The 25 drugs with the highest year-over-year cost increases as determined by the total amount spent on those drugs in the State.

**Sec. 2. Further data collection by Maine Health Data Organization.** The Maine Health Data Organization shall develop a plan to collect data from manufacturers related to the cost and pricing of prescription drugs in order to provide transparency in and accountability for prescription drug pricing. The organization shall consult with other state and national agencies and organizations to determine how to institute such data collection. The organization shall submit the plan, its findings and any recommendations for suggested legislation to the First Regular Session of the 129th Legislature no later than April 1, 2019. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation related to prescription drug price transparency and the organization's findings and recommendations to the First or Second Regular Session of the 129th Legislature.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH DATA ORGANIZATION, MAINE**

**COMMITTEE AMENDMENT**

1 **Maine Health Data Organization 0848**

2 Initiative: Provides a one-time allocation to the Maine Health Data Organization to  
3 collect and present certain data to the Legislature and to develop a plan for further data  
4 collection.

5	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
6	All Other	\$0	\$25,000
7			
8	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$25,000</b>
9			

10 **SUMMARY**

11 This amendment is the minority report of the Joint Standing Committee on Judiciary.  
12 It replaces the bill and directs the Maine Health Data Organization to analyze and post  
13 pharmacy data it currently collects to identify prescription drugs, both brand name and  
14 generic, that are the most frequently prescribed in the State, are the costliest drugs as  
15 determined by total spending in the State and have the highest year-over-year cost  
16 increases in the State. The Maine Health Data Organization is required to prepare the  
17 report annually, beginning with the first report by December 1, 2018.

18 This amendment directs the Maine Health Data Organization to develop a plan to  
19 collect data from manufacturers that will help explain how prescription drug prices are  
20 established. The organization is required to work with other state and national agencies  
21 and organizations to determine how to conduct the data collection. The organization  
22 must submit the plan as well as any recommendations for legislation to the joint standing  
23 committee of the Legislature having jurisdiction over judiciary matters by April 1, 2019.  
24 That committee may report out legislation to the First or Second Regular Session of the  
25 129th Legislature.

26 The amendment also adds an appropriations and allocations section.

27 **FISCAL NOTE REQUIRED**

28 **(See attached)**