

*132nd Legislature*  
***Senate  
of Maine***  
*Senate District 31*

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*Testimony of Senator Donna Bailey introducing*  
**LD 2005, An Act Regarding Mail Order Delivery of Prescription Drugs**  
*Before the Joint Standing Committee on Health Coverage, Insurance, and Financial Services*  
*Tuesday, January 20, 2026*

Good afternoon, Representative Mathieson, and fellow colleagues on the Committee on Health Coverage, Insurance, and Financial Services. As you know, I am Senator Donna Bailey, representing Senate District 31, which includes Buxton, Old Orchard Beach, and Saco. Today, I am pleased to introduce my bill LD 2005, “**An Act Regarding Mail Order Delivery of Prescription Drugs.**”

Just last week, one of my Saco constituents contacted me and expressed their concerns about delays in delivery and missing pieces of mail from the United State Postal Service. She wasn’t the first, and she certainly won’t be the last. Throughout my legislative career, I have received many complaints about the USPS. Each time I contact Maine’s congressional delegation, I hear about a higher volume of packages, staffing shortages, Maine’s older population, or something else. No matter the cause, the USPS is the responsibility of the federal government, and there is little that we — as Maine lawmakers — can do about it.

That being said, out of all of these calls, I worry the most about my constituents who receive their prescription drugs — some of which really cannot risk being skipped for even a single dose — in the mail. With this bill, I hope to alleviate some of that stress and worry, ensuring that Mainers have access to their medications, regardless of whether or not the rest of the mail is on time.

Mail-order pharmacies, which ship medication to patients’ homes, protect access to prescription drugs for Mainers who cannot pick up prescriptions in person at their local pharmacies or who live in pharmacy deserts. My bill seeks to bolster those protections by ensuring mail-order pharmacy users are guaranteed access to a backup plan should their medications arrive damaged or dangerously late.

Despite the challenges with the USPS and pharmacy deserts that are specific to Maine, other states are already taking action to ensure that their residents can access their mail-order prescription drugs. In Washington State, a new law requires that, if a covered person uses a mail-order pharmacy, the Pharmacy Benefits Manager (PBM) must allow for dispensing at a local network pharmacy if the mail-order is delayed by more one than day after the expected delivery

day provide by the mail-order pharmacy – or if the order arrives in an unusable condition. That law is the model for the bill before you all today.

I thank the Committee for its time, and I would be happy to answer any questions.

A handwritten signature in black ink, appearing to read 'Donna Bailey', with a stylized, flowing script.

**Donna Bailey**  
State Senator, Senate District 31  
*Buxton, Old Orchard Beach, and Saco*