



STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

Paul R. LePage
GOVERNOR

17 April 2018

The 128th Legislature of the State of Maine
State House
Augusta, ME 04333

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1032, "An Act To Ensure the Protection of Patients."

Since 2012, the Federal Centers for Medicare and Medicaid Services ("CMS") has required insurance carriers that provide coverage for prescription drugs to accept prior authorization requests from providers on the electronic form developed by CMS specifically to document these requests.

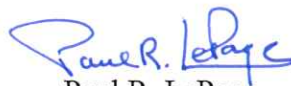
Section 1 of this bill would require insurance carriers to use an entirely different electronic system to accept and respond to requests for prior approval. Section 1 is duplicative of an electronic system that has been in place for several years. There is no reason to create another approval system when there is a system already in place for providers and insurance carriers to use.

Section 2 of the bill requires health care providers participating in insurance carrier networks to provide electronic access to current drug formularies at all times. This section is also unnecessary because the current Maine Insurance Code already requires carriers to post and maintain prescription drug formularies on their public websites; they are already complying with 24 MRSA § 4303(20)(A).

This bill is simply unnecessary because it duplicates existing Maine law.

For these reasons, I return LD 1032 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,


Paul R. LePage
Governor



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