

Maine's Any Willing Pharmacy Requirements

Pursuant to Maine's "any-willing-pharmacy" law, 24-A M.R.S.A. § 4317, insurance carriers offering health plans subject to the Maine Health Plan Improvement Act that provide prescription drug benefits through a network of participating pharmacies may not refuse to contract with a pharmacy that is willing to meet the terms and conditions for participation in the health plan's pharmacy network. If the network is a tiered network, Maine pharmacies must be offered the opportunity to participate in each tier. A pharmacy benefits manager may not require a pharmacist or pharmacy to participate in one network in order to participate in another network. The pharmacy benefits manager may not exclude an otherwise qualified pharmacist or pharmacy from participation in one network solely because the pharmacist or pharmacy declined to participate in another network managed by the pharmacy benefits manager

The insurance carrier is responsible for assuring that the pharmacy network it uses for its fully insured health plans** complies with Maine's "any-willing-pharmacy" requirements, whether the carrier manages the network itself or contracts with a network administrator. Preferred Provider Arrangements (PPAs) are also required to comply with Maine's "any-willing-pharmacy" law pursuant to 24-A M.R.S.A. § 2673-A(3)

In order to comply with Maine's "any-willing-pharmacy" law, carriers are required to make specimen pharmacy contracts readily available to Maine pharmacies upon request for each network subject to the requirement. A network administrator may provide this information on the carrier's behalf.

**Maine's "any-willing-pharmacy" requirement does not apply to self-funded employer health plans administered by insurance carriers

NOTE: The Bureau will annually send out notices with instructions to companies required to provide information pursuant to Bulletin 377. The Any Willing Pharmacy Report provides Maine pharmacies with contact information to obtain the terms and conditions of pharmacy networks they may wish to join.