

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 729

H.P. 538

House of Representatives, February 4, 1997

An Act to Amend the Maine Pharmacy Act.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BRUNO of Raymond.

2 **2. Reciprocal inspections.** ~~The Board of Commissioners of~~
3 ~~the Profession of Pharmacy~~ board may enter into reciprocal
4 inspection agreements with any state in which a mail order
5 prescription facility selling drugs to Maine citizens is located.

6 **Sec. 9. 32 MRSA §13723, sub-§5, ¶¶G and H,** as enacted by PL
7 1987, c. 710, §5, are amended to read:

8 G. The issuance of a certificate of registration
9 necessitated by a change in the pharmacist responsible for
10 the license, which fee shall may not exceed \$100; and

11 H. The certification of an approved provider of continuing
12 education courses, which fee shall may not exceed \$100 per
13 year, provided that a provider approved by the American
14 Council of Pharmaceutical Education is exempt from the fee
15 established in this paragraph; and

16 **Sec. 10. 32 MRSA §13723, sub-§5, ¶I** is enacted to read:

17 I. The issuance of a certificate of registration for a
18 pharmacy technician, which fee may not exceed \$25.

19 **Sec. 11. 32 MRSA §13758, sub-§2,** as enacted by PL 1987, c.
20 710, §5, is amended to read:

21 **2. Registration, manufacturers and wholesalers.** All
22 manufacturers and wholesalers whose products are distributed in
23 the State in any manner shall register with the ~~Board of~~
24 ~~Commissioners of the Profession of Pharmacy~~ board.

25 **Sec. 12. 32 MRSA §13773,** as amended by PL 1989, c. 720, §1,
26 is further amended to read:

27 **§13773. Notice**

28 A 3rd-party prescription program may not be instituted in
29 this State until the program provider has filed written notice of
30 the provisions of the program with the Superintendent of
31 Insurance and the ~~Board of Commissioners of the Profession of~~
32 ~~Pharmacy~~ board and given written notice to all pharmacies that
33 are located within the counties covered by the program at least
34 30 days prior to the commencement of the program. In the case of
35 chain or branch pharmacies, the notice must be given to the main
36 office or headquarters. These pharmacies shall have 30 days from
37 the date of notice to enroll in the program.

38 **Sec. 13. 32 MRSA §13795, sub-§1, ¶E,** as enacted by PL 1995, c.
39 175, §1, is amended to read:

2 E. Other valid, tamper-resistant, photographic
identification as provided in rules adopted by the ~~Board of~~
3 ~~Commissioners of the Profession of Pharmacy~~ board pursuant
4 to section 13722, subsection 1, paragraph A and in
accordance with Title 5, chapter 375.

6
7 **Sec. 14. Maine Revised Statutes amended; revision clause.**

8 Wherever in the Maine Revised Statutes the words "Board of
Commissioners of the Profession of Pharmacy" appear or reference
9 is made to those words, they are amended to read and mean "Maine
10 Board of Pharmacy," and the Revisor of Statutes shall implement
11 this revision when updating, publishing or republishing the
12 statutes.

14
15
16 **SUMMARY**

17 The purpose of this bill is to simplify the title of the
18 Board of Commissioners of the Profession of Pharmacy, to include
19 in the Maine Pharmacy Act a definition of "pharmacy technician"
and to authorize the board to establish a fee, not to exceed \$25,
20 for the annual registration of pharmacy technicians.
21
22