ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document No. 1146

S. P. 345 In Senate, March 19, 1975

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-FIVE

AN ACT to Provide the Citizens of the State of Maine with Uniform Quality Pharmaceutical Health Care.

Be it enacted by the People of the State of Maine, as follows:

32 MRSA c. 41, sub-c. IV is enacted to read:

SUBCHAPTER IV

UNIFORM PHARMACEUTICAL PRACTICE

§ 2911. Patient information regulation

1. Explanation by pharmacist. With each new prescription dispensed, the pharmacist, in addition to labeling the prescription in accordance with the requirements of the State of Maine, must orally explain to the patient or the patient's agent the directions for use and any additional information, in writing if necessary, to assure the proper utilization of the medication or device prescribed. For those prescriptions delivered outside the confines of the pharmacy, the explanation shall be by telephone or in writing. This section shall not apply to those prescriptions for patients in hospitals or institutions where the medication is to be administered by a nurse or other individual licensed to administer medications or to those prescriptions for patients who are to be discharged from a hospital or institution.

2. Maintenance of current reference material. To ensure proper information is available to each pharmacist, each pharmacy or pharmacist, or both, shall maintain current reference material on drug interactions.

§ 2912. Patient profile record system regulation

A patient profile record system shall be maintained in all pharmacies for persons for whom prescriptions are dispensed. The patient profile record sys-

tem shall be devised so as to enable the immediate retrieval of information necessary to enable the dispensing pharmacist to identify previously dispensed medication at the time a prescription is presented for dispensing. One profile card may be maintained for all members of a family living at the same address and possessing the same family name.

The following information should be recorded:

1. Name. The family name and the first name of the person for whom the medication is intended, which is the patient;

2. Address. The address of the patient;

3. Age group. An indication of the patient's age group, e.g. infant, child or adult;

4. Original date of dispensing. The original date the medication is dispensed pursuant to the receipt of a physician's prescription;

5. Prescription identification. The number or designation identifying the prescription;

6. Prescriber's name. The prescriber's name;

7. Name, strength and quantity of drug. The name, strength and quantity of the drug dispensed; and

8. Initials of pharmacist; date of refill. The initials of the dispensing pharmacist and the date of dispensing medication as a renewal or refill if those initials and such date are not recorded on the back of the original prescription.

The pharmacist shall attempt to ascertain and shall record any allergies and idiosyncrasies of the patient and any chronic conditions which may relate to drug utilization as communicated to the pharmacy by the patient.

Upon receipt of a prescription a pharmacist shall examine the patient's profile record before dispensing the medication to determine the possibility of a harmful drug interaction or reaction. Upon recognizing a potential harmful reaction or interaction, the pharmacist shall take appropriate action to avoid or minimize the problem which shall, if necessary, include consultation with the physician.

A patient profile record should be maintained for a period of not less than 5 years from the date of the last entry in the profile record.

§ 2913. Continuing education regulation

No annual renewal certificate shall be issued by the board of pharmacies for the year 1975 and any following year until such time as the applicant submits proof satisfactory to the board that during the calendar year preceding his application for renewal, he has participated in not less than 15 hours of approved courses of continuing professional pharmaceutical education as herein defined. The continuing professional pharmaceutical education courses shall consist of postgraduate studies, institutes, seminars, workshops, lectures,

conferences, extension studies, correspondence courses or such other forms of continuing professional pharmaceutical education as may be approved as herein provided. Such courses shall consist of subject matter pertinent to the following general areas of professional pharmaceutical education: The socio-economic and legal aspects of health care, of properties and actions of drugs and dosage forms and the ideology, characteristics and therapeutics of the disease state. The specific subject matter of such courses may include but shall not be limited to the following: Pharmacology, biochemistry, physiology, pharmaceutical chemistry, pharmacy administration, pharmacy jurisprudence, public health and communicable diseases, pharmaceutical marketing, professional practice management, anatomy, histology and such other subject matter as represented in curricula of accredited colleges of pharmacy. The content of each course which shall be offered for credit under this continuing professional educational program shall be approved in advance of the course offered by a committee composed of equal representation from the board of pharmacy, hospital pharmacy and retail pharmacy within the State. The number and members of the committee shall be selected by the board of pharmacy and shall serve for a period of 2 years. In the initial year of the application of the statute, the board may reduce the number of hours of participation required based upon the number of days the statute is in effect during the initial calendar year. The board may make exceptions from the operation of the statute in emergency or hardship cases.

§ 2914. Rules and regulations

The board of pharmacy may, consistent with the requirements of this subchapter, promulgate rules and regulations necessary to implement or administer this subchapter.

STATEMENT OF FACT

The purpose of this bill is to provide uniform pharmaceutical practice as it pertains to the drug consuming segment of the population of the State. The Board of Commissioner of the Profession of Pharmacy shall have the sole responsibility for ensuring that the provisions of this bill are carried out.