

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE (Filing No. S-324)
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 407, L.D. 1415, Bill,
"AN ACT to Regulate the Dispensing of Prescription Drugs."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'32 MRSA §2805, sub-§21, as enacted by PL 1971, c. 282,
§6 is amended to read:

21. Prescription. "Prescription" shall mean any order,
written or verbal, for any drug, medicine or poison by a
physician, dentist, veterinarian ^{or} /other duly licensed and
authorized medical practitioner, or his duly authorized legal
agent ~~for any drug, medicine or poison~~. Such a duly authorized
agent includes at least a physician assistant authorized under
section 2594-A or 3270-A or a nurse who is authorized to
prescribe therapeutic or corrective measures under section
2102, subsection 2.'

STATEMENT OF FACT

The primary purpose of this amendment is to clarify that
physician assistants and nurse practitioners are authorized to
prescribe drugs, so long as they are under the supervision of
a physician.

A second purpose of the amendment is to delete from L.D.
1415 the following:

1. Immunity from liability for a pharmacist who dispenses drugs upon a medically improper prescription or upon a prescription that has been transmitted by an unauthorized person;

2. Provisions relating to the oral transmission of prescriptions; and

3. Authority for the board of commissioners of the Profession of Pharmacy to make rules in new areas (i.e., "the compounding, dispensing and selling of drugs, medicines and poisons by pharmacists, physicians, osteopaths, hospitals, sanatoriums or clinics").

Reported by the Committee on Health and Institutional Services.

Reproduced and distributed pursuant to Senate Rule 11-A.

June 23, 1977

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