

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 984

H. P. 784

House of Representatives, March 5, 1979

On Motion of Mr. Howe of South Portland, referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McHenry of Madawaska.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Permit Certain Maine Pharmacists to Fill the Prescription of Certain
Nonresident Physicians.**

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

Sec. 1. 32 MRSA § 2805, sub-§ 13-A is enacted to read:

13-A. **Nonresident prescriptions.** "Nonresident prescriptions" shall mean any order, written or verbal, for any drug, medicine or poison by a physician who meets the following qualifications:

A. Has been licensed by the Medical Council of Canada or the board of a Canadian province and is practicing in a Canadian city or town adjoining the border with Maine; or

B. Has been licensed by the New Hampshire board of registration in medicine and is practicing in a New Hampshire city or town adjoining the New Hampshire border with Maine.

Sec. 2. 32 MRSA § 2807 is enacted to read:

§ 2807. **Authorization to fill nonresident prescriptions**

Any pharmacist conducting the business of a pharmacy in a Maine municipality which has no practicing physician or osteopath and which adjoins the border with Canada or New Hampshire is authorized to fill a nonresident prescription, as defined in section 2805, subsection 13-A.

STATEMENT OF FACT

Some Maine towns along the border with Canada and New Hampshire have no practicing physician or osteopath. Presently, Maine residents in these towns who receive prescriptions from nonresident doctors cannot have their prescriptions filled by Maine pharmacists. The purpose of this bill is to permit any Maine pharmacist in a Maine town adjoining the Canadian or New Hampshire border to fill the prescriptions of nonresident physicians practicing in Canadian or New Hampshire towns bordering Maine. The nonresident physician shall have been examined and certified by either the Medical Council of Canada, the board of a Canadian province or the New Hampshire licensing board.