

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1215

S. P. 411

In Senate, March 10, 1981

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Gill of Cumberland.

Cosponsors: Senator Pray of Penobscot, Representative Holloway of Edgecomb and Representative Nelson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Pharmaceutical Services Provided at Rural Health Centers.

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

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

SUBCHAPTER V

SERVICES AT RURAL HEALTH CENTERS

§ 2921. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Pharmacy provider. "Pharmacy provider" means a pharmacy licensed in the State participating with a rural community health center under this subchapter.

2. Rural community health center. "Rural community health center" means an incorporated nonprofit health facility which provides comprehensive primary health care to citizens in rural areas without a pharmacy or in a community where available pharmacy services cannot meet the documented need.

§ 2922. Center to be licensed

**1. License required.** A rural community health center that desires to contract for pharmaceutical service with a pharmacy must be licensed by the board and shall abide by the rules and regulations of the board. These rules and regulations may be no more restrictive than those regulating private pharmacy practice in the State.

**2. Notice.** Any rural community health center wishing to be licensed under this subchapter shall notify the board of its intent to establish such a contract and shall apply for a license, submit floor plans of the physical plant and pay a fee based on 75% of the fee assessed for a pharmacy. The application shall include the name, address and registration number of the provider of pharmaceutical services.

**3. Board action.** The board shall approve or disapprove of the application within 60 days of receipt and shall notify the applicant in writing of its decision and the reason for the decision.

#### **§ 2923. Scope of license**

A licensee under this subchapter shall comply with sections 2911, 2912, subsections 1 to 7 and section 2914. No licensee may refill a prescription. All orders shall be treated as new orders. In all other respects, notwithstanding any other provision of law, a licensee may provide pharmaceutical services under this subchapter subject to section 2924.

#### **§ 2924. Rules**

The board shall adopt rules to carry out the purposes of this subchapter.

### **STATEMENT OF FACT**

Because of licensing requirements, the present statutes regarding the provision of pharmaceutical services restrict the provision of pharmacy services that are under the direction of a pharmacist to those communities whose population can support at least a 20-hour per-week commercial pharmacy. This bill will provide the means for qualified pharmacies and pharmacists to work with rural community health centers to provide pharmacy services in small communities that cannot support a commercial venture. The bill requires that rural community health centers document a need for these services and apply to the Board of Commissioners of the Profession of Pharmacy for approval. Moreover, the quality of such services will be monitored by the Board of Commissioners of the Profession of Pharmacy and under the direction of a local pharmacist.

The ability of a patient to obtain medication in a timely manner, i.e., without having to arrange to travel an excessive distance, is often critical to the success of a prescribed course of treatment.