

MAINE STATE LEGISLATURE

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DATE: 3/25/96

(Filing No. H- 841)

HUMAN RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1311, L.D. 1795, Bill, "An Act to Clarify the Laws Pertaining to the Regulation of Narcotic Dependency Treatment Programs"

Amend the bill in section 2 by striking out all of subsection 7 (page 1, lines 22 to 35 in L.D.) and inserting in its place the following:

~~7. Employees. Except as authorized by the Director of the Office of Substance Abuse, a~~ A person may not be employed by or contract with a treatment program in a capacity in which that person handles or has access to scheduled or prescription drugs or controlled substances if that person has been convicted of a felony or an offense related to the possession, use, sale or distribution of scheduled or prescription drugs or controlled substances under Title 17-A, chapter 45, or under any law of another jurisdiction. The director may authorize an exception to this employment prohibition if the following circumstances exist:

A. Federal regulations do not prohibit such employment;

B. The prospective employee or contractor has obtained any required waiver from the federal Drug Enforcement Administration; and

C. The director determines that there is no substantial risk to the integrity of the program.

Promptly after authorizing an exception under this subsection, the director shall notify the Maine Drug Enforcement Agency and the law enforcement agency of the county or municipality in which the treatment program is located.'

COMMITTEE AMENDMENT

H. O. S.

COMMITTEE AMENDMENT "A" to H.P. 1311, L.D. 1795

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Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The additional costs associated with notifying law enforcement agencies of an authorized exemption can be absorbed by the Office of Substance Abuse utilizing existing budgeted resources.'

STATEMENT OF FACT

This amendment amends section 2 of the bill and adds a fiscal note. It adds conditions to the authorization of the Director of the Office of Substance Abuse to grant an exception to the prohibition on treatment programs employing persons who have been convicted of felonies and drug offenses.