

# MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

Reported by: Senator Paradis

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 325, L.D. 1063, Bill, "An Act Allowing Registered Nurses Employed by Licensed Home Health Care Agencies to Possess and Administer Certain Noncontrolled Prescription Drugs under Certain Conditions"

Amend the bill in section 1 by striking out all of the first 2 lines (page 1, lines 3 and 5 in L.D.) and inserting in their place the following:

'Sec. 1. 32 MRSA c. 117, sub-c. XI is enacted to read:

SUBCHAPTER XI'

Further amend the bill in section 1 in that part designated "\$2266." in the first line (page 1, line 10 in L.D.) by striking out the following: "\$2266." and inserting in its place the following: '\$13810.'

Further amend the bill in section 1 in that part designated "\$2266." by striking out all of subsection 1 and inserting in its place the following:

'1. Possession. Possess, in the course of employment, such noncontrolled prescription drugs as are approved by the board. In adopting the rules the board shall consult with the Board of Licensure in Medicine, the Board of Osteopathic Licensure, the State Board of Nursing, the Maine Hospice Council, the Department of Human Services and the Home Care Alliance of Maine. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter II-A; and'

Further amend the bill in section 1 in that part designated  
2 "§2266." in subsection 2 in the last line (page 1, line 31 in  
L.D.) by striking out the following: "doctor" and inserting in  
4 its place the following: 'physician'

6 Further amend the bill by inserting at the end before the  
summary the following:

8  
10 **FISCAL NOTE**

12 The Board of Commissioners of the Profession of Pharmacy  
will incur some minor additional costs to adopt rules pertaining  
14 to which noncontrolled prescription drugs certain nurses can  
control and administer. These costs can be absorbed within the  
16 board's existing budgeted resources.

18 The additional costs associated with consulting with the  
Board of Commissioners of the Profession of Pharmacy can be  
20 absorbed by the Department of Human Services, the Board of  
Licensure in Medicine, the Board of Osteopathic Licensure, the  
22 State Board of Nursing and the Maine Hospice Council utilizing  
existing budgeted resources.

24 This bill may reduce prosecutions for Class E crimes. If  
jail sentences are reduced, the savings to the counties are  
26 estimated to be \$83.78 per day per prisoner. These savings do  
not affect reimbursement by the State. The reduction in the  
28 number of prosecutions that would have resulted in a jail  
sentence and the resulting savings to the county jail system are  
30 expected to be insignificant.

32 The Judicial Department may realize some minor savings from  
34 reductions of workload and administrative costs associated with  
the minimal number of cases that will no longer be filed in the  
36 court system. Reductions in the collection of fines may decrease  
General Fund revenue by minor amounts.'

38  
40 **SUMMARY**

42 This amendment places the new subchapter in the bill in the  
Maine Pharmacy Act. It designates the Board of Commissioners of  
44 the Profession of Pharmacy as the board that will make the rules  
on the possession of noncontrolled prescription drugs by a  
46 professional nurse or an advanced practice registered nurse  
employed by a home health care provider. In the making of rules,  
48 it requires the Board of Commissioners of the Profession of  
Pharmacy to consult with the Board of Licensure in Medicine, the  
50 Board of Osteopathic Licensure, the State Board of Nursing, the

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2 Maine Hospice Council, the Department of Human Services and the Home Care Alliance of Maine. It adds a fiscal note to the bill.

**COMMITTEE AMENDMENT**