

MAINE STATE LEGISLATURE

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RES

L.D. 1578

DATE: 5-14-03

(Filing No. H-359)

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1151, L.D. 1578, Bill, "An Act To Make Filling Out-of-State Prescriptions for Schedule II Drugs More Convenient"

Amend the bill in section 1, in subsection 2 by striking out all of paragraphs A and B (page 1, lines 35 to 47 in L.D.) and inserting in their place the following:

'A. The pharmacist receives and makes a record of oral confirmation of the validity of the prescription from the out-of-state practitioner or the practitioner's agent and the pharmacist makes a reasonable effort to determine that the oral confirmation came from the practitioner or the practitioner's agent, which may include a telephone call to the practitioner's telephone number listed in a telephone directory or other directory or other good faith efforts to confirm the identity of the person giving the oral confirmation; and

B. The pharmacist demands, inspects and records a valid photographic identification from any person presenting a prescription or receiving a filled prescription unless:

(1) The person is the patient for whom the prescription is written;

(2) The person's identity is personally known to the pharmacist; and

(3) The pharmacist confirms by reviewing the pharmacy records that the pharmacist has previously demanded, inspected and recorded a valid photographic identification from the person.'

COMMITTEE AMENDMENT

2025

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SUMMARY

This amendment changes the bill's requirement concerning the presentation of photographic identification. The amendment requires that a person presenting an out-of-state prescription for a Schedule II drug or receiving that filled prescription present photographic identification unless the person is the patient for whom the prescription is written, is personally known to the pharmacist and has previously presented photographic identification that has been noted by the pharmacist. The bill required that a person presenting an out-of-state prescription for a Schedule II drug present photographic identification without exception, but did not require identification when the filled prescription was received. The amendment also requires the pharmacist to make a record of oral confirmation of the validity of the prescription from the out-of-state practitioner or the practitioner's agent.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1578

**An Act to Make Filling Out-of-state Prescriptions for Schedule II Drugs
More Convenient**

LR 2073(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Business, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional cost to the Board of Osteopathic Licensure, the Board of Licensure in Medicine and the Board of Pharmacy within the Department of Professional and Financial Regulation can be absorbed utilizing existing budgeted resources.