MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1651

H.P. 1165

House of Representatives, May 5, 2005

An Act To Register Canadian Pharmacies To Provide Safe Reimportation of Prescription Drugs

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

Millient M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DRISCOLL of Westbrook.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: BURNS of Berwick, CAMPBELL of Newfield, JACKSON of Fort Kent,
MILLER of Somerville, PARADIS of Frenchville, PINEAU of Jay, PINGREE of North
Haven, WEBSTER of Freeport.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 22 MRSA c. 603, sub-c. 5 is enacted to read:
4	
6	SUBCHAPTER 5
8	PRESCRIPTION DRUGS FROM CANADIAN PHARMACIES
Ü	§2699-A. Provision of information
10	
12	The department shall establish and maintain a website that includes:
14	1. Information. Information concerning purchasing
16	prescription drugs from Canadian pharmacies that have been recommended by the Maine Board of Pharmacy for inclusion on the website pursuant to Title 32, section 13751, subsection 5; and
18	website parsagne to fitte 32, section 13/31, subsection 3, and
20	2. Links. Links to websites of Canadian pharmacies that have been recommended by the Maine Board of Pharmacy for inclusion on the website pursuant to Title 32, section 13751,
22	subsection 5.
24	Sec. 2. 32 MRSA §13731, sub-§7 is enacted to read:
26	7. Canadian pharmacies. This section does not prohibit a
28	Canadian pharmacy that is registered by the board as a mail order prescription drug outlet and that has been recommended by the
30	board pursuant to section 13751, subsection 5 for inclusion or the website established and maintained pursuant to Title 22,
	section 2699-A from providing prescription drugs through mail
32	order service to residents of the State in the manner set forth in this chapter.
34	in this chapter.
	Sec. 3. 32 MRSA $\S13751$, sub- $\S\S5$ and $\S6$ are enacted to read:
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38	5. Notification of registration of Canadian pharmacy. The board may register a Canadian pharmacy pursuant to this section. The board shall notify the Department of Health and Human
40	Services each time the board registers a Canadian pharmacy as a
42	mail order prescription drug outlet pursuant to this section and shall recommend that the Department of Health and Human Services include that pharmacy on the website established and maintained
44	pursuant to Title 22, section 2699-A.
46	6. Mail order prescription drug outlet. A mail order prescription drug outlet registered under this section may not
48	sell, distribute or furnish to a resident of the State:
50	A. A controlled substance;

2	B. A prescription drug that has not been approved by the
	federal Food and Drug Administration or the Canadian
4	government agency responsible for approving prescription
	drugs;
6	
	C. A generic prescription drug that has not been approved
8	by the federal Food and Drug Administration;
10	D. D. magnetishing down for which the follows: David and Down
10	D. A prescription drug for which the federal Food and Drug Administration has withdrawn or suspended its approval; or
12	Administracion has withdrawn or suspended its approval; or
12	E. A quantity of a prescription drug at one time that
14	includes more than is prescribed to the patient as a 3-month
	supply of the drug.
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18	SUMMARY
20	This bill authorizes the Maine Board of Pharmacy to register
	Canadian pharmacies to provide prescription drugs by mail order
22	to residents of the State and directs that Canadian pharmacies
	that have been registered be included on a website established
24	and maintained by the Department of Health and Human Services.

The website must provide information to consumers concerning the

Canadian pharmacies approved by the board and the web links for those pharmacies. In addition, this bill limits the drugs that a pharmacy located outside Maine that provides mail order service

to residents of Maine may sell, distribute or furnish.

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