

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 22

H.P. 25

House of Representatives, January 2, 2007

An Act To Require Health Care Practitioners To Distribute Free Samples of Medication in Certain Circumstances

Received by the Clerk of the House on December 28, 2006. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAUDOIN of Biddeford.

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

2 **Sec. 1. 22 MRSA §1721** is enacted to read:

3 **§1721. Distribution of free samples of medications**

4 A health care practitioner, as defined in section 1711-C, subsection 1, paragraph F,
5 who is authorized to prescribe medications under Title 32, chapter 117, shall provide free
6 samples of medications to a patient prior to submitting a prescription to a pharmacy for
7 the same medication in order to test the reaction of the patient and the effectiveness in
8 treatment of the disease or condition of the patient if:

9 1. **Availability.** The health care practitioner has available free samples in the correct
10 dosage for the patient;

11 2. **Appropriateness.** The health care practitioner determines that providing free
12 samples to the patient is appropriate for the patient; and

13 3. **Timeliness.** The health care practitioner determines that providing free samples
14 will not delay necessary treatment.

15 **SUMMARY**

16 This bill requires health care practitioners to distribute free samples of medications to
17 patients in order to test the reaction of the patient and the effectiveness in treatment of the
18 disease or condition. The requirement to distribute free samples depends on availability,
19 appropriateness and timeliness.