

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION-2007

Legislative Document

No. 1440

H.P. 1009

House of Representatives, March 15, 2007

An Act To Prohibit Inappropriate Software Advertising of Prescription Drugs

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TREAT of Farmingdale.
Cosponsored by Senator MARRACHÉ of Kennebec and
Representatives: BRAUTIGAM of Falmouth, CAMPBELL of Newfield, CANAVAN of
Waterville, CONOVER of Oakland, HANLEY of Gardiner, RAND of Portland, WOODBURY
of Yarmouth.

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

2 **Sec. 1. 22 MRSA §2700-A, sub-§2-A** is enacted to read:

3 **2-A. Software advertising.** Software that assists a health care practitioner in
4 prescribing a drug may not influence or attempt to influence or permit a person to
5 influence or attempt to influence a prescribing decision of the health care practitioner,
6 including the drug that is prescribed or the pharmacy to fill the prescription, by any
7 means, including, but not limited to, advertising, instant messaging and pop-up
8 advertisements. For purposes of this subsection, “software” has the same meaning as in
9 Title 11, section 9-1102, subsection 75.

10

SUMMARY

11 This bill prohibits computer software that assists a health care practitioner in
12 prescribing drugs from influencing the prescribing decision of the health care practitioner
13 through any means, including, but not limited to, advertising, instant messaging and pop-
14 up advertisements.