

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 676

S.P. 207

In Senate, February 17, 2011

### **An Act To Enact Requirements Concerning Veterinary Prescriptions**

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Received by the Secretary of the Senate on February 17, 2011. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator COURTNEY of York.  
Cosponsored by Representative: SHAW of Standish.

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

2 **Sec. 1. 32 MRSA §4876** is enacted to read:

3 **§4876. Disclosure; written prescription**

4 **1. Requirement.** Prior to selling, dispensing or distributing prescription drugs,  
5 medicines, controlled substances or other prescription items, a licensed veterinarian shall:

6 A. Notify the animal's owner or the person responsible for the animal orally and in  
7 writing of the option of obtaining the prescription item from the veterinarian or  
8 obtaining the prescription item from a pharmacy of the owner's or responsible party's  
9 choice where available; and

10 B. Whether or not requested by the animal's owner or the person responsible for the  
11 animal, provide a written prescription to the owner or person responsible without  
12 imposing a fee.

13 A person who violates this section commits an unfair trade practice in violation of  
14 Title 5, section 207.

15 **SUMMARY**

16 This bill requires that prior to selling prescription medication to animal owners, a  
17 veterinarian must first inform the owner both orally and in writing of the option to obtain  
18 prescription items from a pharmacy of the owner's choice. The bill also requires that,  
19 whether or not requested by the animal owner and without imposing a fee, the  
20 veterinarian must provide a written prescription to the owner that the owner may elect to  
21 have the veterinarian dispense or to have filled at a pharmacy. The bill makes violations  
22 subject to the provisions of the Maine Unfair Trade Practices Act.