

MAINE STATE LEGISLATURE

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Date: 6/5/13

(Filing No. H-343)

majority

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 712, L.D. 1014, Bill, "An Act To Improve Law Enforcement Access to Prescription Monitoring Program Data"

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 22 MRSA §7250, sub-§4, ¶I is enacted to read:

I. A law enforcement agency with the written approval of the Attorney General or of the District Attorney for the jurisdiction in which the investigation is pending, insofar as the information relates to an active criminal investigation involving a prescription drug offense. Prescription monitoring information in the possession or under the control of a law enforcement agency is confidential and may be disseminated only in accordance with Title 16, section 614. The department shall accommodate requests for prescription monitoring information properly executed by law enforcement agencies pursuant to this paragraph. The department, in consultation with the Attorney General, shall adopt rules regarding requests by law enforcement agencies for prescription monitoring information, which must be made to the director of the program. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

SUMMARY

This amendment is the majority report of the committee. This amendment retains the intent and effect of the bill but limits the context of a request for information from the Controlled Substances Prescription Monitoring Program by law enforcement to an active investigation involving a prescription drug offense. This amendment requires the Department of Health and Human Services, in consultation with the Attorney General, to adopt routine technical rules regarding the manner of communicating requests for information from the program.

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 1014

LR 507(02)

An Act To Improve Law Enforcement Access to Prescription Monitoring Program Data

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-343)
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services and the Department of the Attorney General for routine rulemaking related to requests by law enforcement agencies for prescription monitoring information can be absorbed within existing budgeted resources.