

# MAINE STATE LEGISLATURE

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5/1/18  
R. G. B.

Date: 3/1/2018

(Filing No. S-372)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE**

**SENATE**

**128TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 183, L.D. 565, Bill, "An Act To Address Maine's Opiate Addiction Crisis"

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 22 MRSA §2353, sub-§1, ¶D**, as enacted by PL 2015, c. 508, §1, is amended to read:

D. "Pharmacist" means a pharmacist authorized to prescribe and dispense naloxone hydrochloride pursuant to Title 32, section 13815.

**Sec. 2. 22 MRSA §2353, sub-§2, ¶A-1**, as enacted by PL 2015, c. 508, §2, is amended to read:

A-1. A pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to an individual at risk of experiencing an opioid-related drug overdose.

**Sec. 3. 22 MRSA §2353, sub-§2, ¶A-2**, as enacted by PL 2017, c. 249, §1, is repealed.

**Sec. 4. 22 MRSA §2353, sub-§2, ¶C-1**, as enacted by PL 2015, c. 508, §2, is amended to read:

C-1. A pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to a member of an individual's immediate family or a friend of the individual or to another person in a position to assist the individual if the individual is at risk of experiencing an opioid-related drug overdose.

**COMMITTEE AMENDMENT**

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**Sec. 5. 22 MRSA §2353, sub-§2, ¶C-2,** as enacted by PL 2017, c. 249, §1, is repealed.

**Sec. 6. 32 MRSA §13815, sub-§1,** as enacted by PL 2017, c. 249, §2, is repealed.

**Sec. 7. 32 MRSA §13815, sub-§2,** as enacted by PL 2017, c. 249, §2, is amended to read:

**2. Rules for prescribing and dispensing naloxone hydrochloride.** The board by rule shall establish standards for authorizing pharmacists to prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2, paragraphs ~~A-2 and C-2~~ A-1 and C-1. The rules must establish adequate training requirements and protocols for prescribing and dispensing naloxone hydrochloride when there is no prescription drug order, standing order or collaborative practice agreement authorizing naloxone hydrochloride to be dispensed to the intended recipient. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A pharmacist authorized by the board pursuant to this subsection to prescribe and dispense naloxone hydrochloride may prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2, paragraphs ~~A-2 and C-2~~ A-1 and C-1.

~~This subsection is repealed July 1, 2019.~~

**Sec. 8. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 32, chapter 117, subchapter 11-A, in the subchapter headnote, the words "dispensing of naloxone hydrochloride" are amended to read "prescribing and dispensing of naloxone hydrochloride" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.'

**SUMMARY**

This amendment replaces the bill, which is a concept draft. It repeals the provisions of Public Law 2017, chapter 249 that prevent pharmacists from prescribing and dispensing naloxone hydrochloride after July 1, 2019 to an individual at risk of an overdose or to a family member or friend of an individual at risk of an overdose.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 128th MAINE LEGISLATURE

LD 565

LR 1847(02)

An Act To Address Maine's Opiate Addiction Crisis

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-372)

Committee: Health and Human Services

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the Maine Board of Pharmacy within the Office of Professional and Occupational Regulation, Department of Professional and Financial Regulation, to implement the requirements of this legislation can be absorbed within existing budgeted resources.