

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1325

H.P. 919

House of Representatives, April 4, 2017

An Act Regarding Opioids and Palliative Care

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BROOKS of Lewiston.

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

2 **Sec. 1. 32 MRSA §2210, sub-§2, ¶A,** as enacted by PL 2015, c. 488, §13, is
3 amended to read:

- 4 A. When prescribing opioid medication to a patient for:
- 5 (1) Pain associated with active and aftercare cancer treatment;
 - 6 (2) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
7 A, in conjunction with a serious illness, as defined in Title 22, section 1726,
8 subsection 1, paragraph B;
 - 9 (2-A) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
10 A, under a management plan that is submitted by the individual licensed under
11 this chapter and approved by the Department of Health and Human Services and
12 that documents the need for ongoing treatment of the patient that exceeds the
13 limits under subsection 1;
 - 14 (3) End-of-life and hospice care;
 - 15 (4) Medication-assisted treatment for substance use disorder; or
 - 16 (5) Other circumstances determined in rule by the Department of Health and
17 Human Services pursuant to Title 22, section 7254, subsection 2; and

18 **Sec. 2. 32 MRSA §2600-C, sub-§2, ¶A,** as enacted by PL 2015, c. 488, §17, is
19 amended to read:

- 20 A. When prescribing opioid medication to a patient for:
- 21 (1) Pain associated with active and aftercare cancer treatment;
 - 22 (2) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
23 A, in conjunction with a serious illness, as defined in Title 22, section 1726,
24 subsection 1, paragraph B;
 - 25 (2-A) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
26 A, under a management plan that is submitted by the individual licensed under
27 this chapter and approved by the Department of Health and Human Services and
28 that documents the need for ongoing treatment of the patient that exceeds the
29 limits under subsection 1;
 - 30 (3) End-of-life and hospice care;
 - 31 (4) Medication-assisted treatment for substance use disorder; or
 - 32 (5) Other circumstances determined in rule by the Department of Health and
33 Human Services pursuant to Title 22, section 7254, subsection 2; and

34 **Sec. 3. 32 MRSA §3300-F, sub-§2, ¶A,** as enacted by PL 2015, c. 488, §20, is
35 amended to read:

- 36 A. When prescribing opioid medication to a patient for:
- 37 (1) Pain associated with active and aftercare cancer treatment;

1 (2) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
2 A, in conjunction with a serious illness, as defined in Title 22, section 1726,
3 subsection 1, paragraph B;

4 (2-A) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
5 A, under a management plan that is submitted by the individual licensed under
6 this chapter and approved by the Department of Health and Human Services and
7 that documents the need for ongoing treatment of the patient that exceeds the
8 limits under subsection 1;

9 (3) End-of-life and hospice care;

10 (4) Medication-assisted treatment for substance use disorder; or

11 (5) Other circumstances determined in rule by the Department of Health and
12 Human Services pursuant to Title 22, section 7254, subsection 2; and

13 **Sec. 4. 32 MRSA §3657, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §23, is
14 amended to read:

15 A. When prescribing opioid medication to a patient for:

16 (1) Pain associated with active and aftercare cancer treatment;

17 (2) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
18 A, in conjunction with a serious illness, as defined in Title 22, section 1726,
19 subsection 1, paragraph B;

20 (2-A) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
21 A, under a management plan that is submitted by the individual licensed under
22 this chapter and approved by the Department of Health and Human Services and
23 that documents the need for ongoing treatment of the patient that exceeds the
24 limits under subsection 1;

25 (3) End-of-life and hospice care;

26 (4) Medication-assisted treatment for substance use disorder; or

27 (5) Other circumstances determined in rule by the Department of Health and
28 Human Services pursuant to Title 22, section 7254, subsection 2; and

29 **Sec. 5. 32 MRSA §18308, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §32, is
30 amended to read:

31 A. When prescribing opioid medication to a patient for:

32 (1) Pain associated with active and aftercare cancer treatment;

33 (2) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
34 A, in conjunction with a serious illness, as defined in Title 22, section 1726,
35 subsection 1, paragraph B;

36 (2-A) Palliative care, as defined in Title 22, section 1726, subsection 1, paragraph
37 A, under a management plan that is submitted by the individual licensed under
38 this chapter and approved by the Department of Health and Human Services and

