

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1594

H.P. 1098

House of Representatives, May 11, 2017

**An Act Regarding the Dispensing of Naloxone Hydrochloride by
Pharmacists**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

ROBERT B. HUNT
Clerk

Presented by Representative VACHON of Scarborough.
Cosponsored by Senator MASON of Androscoggin and
Representatives: CHACE of Durham, Speaker GIDEON of Freeport, HEAD of Bethel,
HERBIG of Belfast, HYMANSON of York, SYLVESTER of Portland, Senators: DILL of
Penobscot, WOODSOME of York.

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

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

4 D. "Pharmacist" means ~~a pharmacist authorized to dispense naloxone hydrochloride~~
5 ~~pursuant to Title 32, section 13815~~ an individual licensed by this State to engage in
6 the practice of pharmacy.

7 **Sec. 2. 22 MRSA §2353, sub-§2, ¶¶A-1 and C-1**, as enacted by PL 2015, c.
8 508, §2, are amended to read:

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

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

17 **Sec. 3. 32 MRSA §13815**, as enacted by PL 2015, c. 508, §5, is amended to read:

18 **§13815. Authorization**

19 The board by rule shall establish procedures and standards for authorizing
20 pharmacists to prescribe and dispense naloxone hydrochloride in accordance with Title
21 22, section 2353. The rules must establish adequate training requirements and protocols
22 for prescribing and dispensing naloxone hydrochloride ~~by~~ when there is no prescription
23 drug order ~~or~~, standing order or ~~pursuant to a~~ collaborative practice agreement
24 authorizing naloxone hydrochloride to be dispensed to the intended recipient. Rules
25 adopted under this section are routine technical rules as defined in Title 5, chapter 375,
26 subchapter 2-A. A pharmacist authorized by the board pursuant to this section to
27 prescribe and dispense naloxone hydrochloride may prescribe and dispense naloxone
28 hydrochloride in accordance with Title 22, section 2353.

29 **Sec. 4. Maine Revised Statutes headnote amended; revision clause.** In the
30 Maine Revised Statutes, Title 32, chapter 117, subchapter 11-A, in the subchapter
31 headnote, the words "dispensing of naloxone hydrochloride" are amended to read
32 "prescribing and dispensing of naloxone hydrochloride" and the Revisor of Statutes shall
33 implement this revision when updating, publishing or republishing the statutes.

34 **SUMMARY**

35 This bill provides that a pharmacist may prescribe and dispense naloxone
36 hydrochloride to an individual at risk of experiencing an opioid-related drug overdose or
37 to a person in a position to assist such an individual. Current law provides that a
38 pharmacist may dispense naloxone hydrochloride to such an individual or person. The

1 bill also provides that the rules adopted by the Maine Board of Pharmacy authorizing
2 pharmacists to prescribe and dispense naloxone hydrochloride must establish adequate
3 training requirements and protocols for prescribing and dispensing naloxone
4 hydrochloride when there is no prescription drug order, standing order or collaborative
5 practice agreement authorizing naloxone hydrochloride to be dispensed to the intended
6 recipient.