

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1730

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S.P. 629

In Senate, December 22, 2017

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### **An Act To Remove Veterinarians from the Controlled Substances Prescription Monitoring Program**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 19, 2017. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator HAMPER of Oxford.  
Cosponsored by Representative: BERRY of Bowdoinham.

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

2 **Sec. 1. 22 MRSA §7246, sub-§5**, as amended by PL 2015, c. 488, §2, is further  
3 amended to read:

4 **5. Prescriber.** "Prescriber" means a licensed health care professional with authority  
5 to prescribe controlled substances ~~and a veterinarian licensed under Title 32, chapter~~  
6 ~~71-A with authority to prescribe controlled substances.~~

7 **Sec. 2. 32 MRSA §4864, sub-§12, ¶D**, as amended by PL 2015, c. 488, §24, is  
8 further amended to read:

9 D. The continuance of a veterinarian directly or indirectly in the employ of or in  
10 association with any veterinarian after knowledge that such veterinarian is engaged in  
11 the violation of the provisions of this chapter; or

12 **Sec. 3. 32 MRSA §4864, sub-§13**, as amended by PL 2015, c. 488, §25, is  
13 further amended to read:

14 **13. Lack of sanitation.** Failure to maintain veterinary premises and equipment in a  
15 clean and sanitary condition as defined by the board in accordance with the sanitation  
16 provisions included in Title 7, section 3936; ~~or~~

17 **Sec. 4. 32 MRSA §4864, sub-§15**, as enacted by PL 2015, c. 488, §26, is  
18 repealed.

19 **Sec. 5. 32 MRSA §4878, sub-§1**, as enacted by PL 2015, c. 488, §27, is repealed.

20 **Sec. 6. 32 MRSA §4878, sub-§3**, as enacted by PL 2015, c. 488, §27, is amended  
21 to read:

22 **3. Continuing education.** ~~By December 31, 2017, a~~ A veterinarian who prescribes  
23 opioid medication must successfully complete 3 hours of continuing education every 2  
24 years on the administration, prescription and management of opioid medication  
25 controlled substances as a condition of prescribing opioid medication. The board shall  
26 adopt rules to implement this subsection. Rules adopted pursuant to this subsection are  
27 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## 28 **SUMMARY**

29 This bill eliminates the requirement that veterinarians check prescription monitoring  
30 information under the Controlled Substances Prescription Monitoring Program upon  
31 prescribing certain medications, including opioids. It also changes the continuing  
32 education requirement to require a veterinarian who prescribes opioid medication to  
33 successfully complete 3 hours of continuing education every 2 years on the  
34 administration, prescription and management of controlled substances. Current law  
35 requires such a veterinarian to successfully complete 3 hours of continuing education  
36 every 2 years on the prescription of opioid medication.