

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 267

S.P. 79

In Senate, January 22, 2019

An Act To Amend the Laws Governing the Practice of Pharmacy

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN, L. of Cumberland.

Cosponsored by Senators: BREEN of Cumberland, CLAXTON of Androscoggin, MOORE of Washington, Representatives: KESCHL of Belgrade, PERRY of Calais.

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

2 **Sec. 1. 32 MRSA §13702-A, sub-§22**, as enacted by PL 2007, c. 402, Pt. DD,
3 §2, is amended to read:

4 **22. Pharmacist.** "Pharmacist" means an individual provider of health care services
5 licensed by this State to engage in the practice of pharmacy.

6 A. "Chain pharmacist" means an individual who is engaged in the practice of
7 pharmacy within a chain; that is, where there is a corporate grouping of 4 or more
8 pharmacies.

9 B. "Hospital pharmacist" means an individual who is engaged in the practice of
10 pharmacy in a hospital setting.

11 C. "Independent pharmacist" means an individual who is engaged in the practice of
12 pharmacy in an independent pharmacy; that is, where there are fewer than 4
13 pharmacies under the same ownership.

14 D. "Qualified assistant pharmacist" means an individual licensed by this State as a
15 qualified assistant apothecary, qualified assistant or assistant pharmacist, provided
16 that the license is in full force and effect, except for the right to serve as a pharmacist
17 in charge.

18 **Sec. 2. 32 MRSA §13702-A, sub-§28**, as amended by PL 2017, c. 185, §1, is
19 further amended to read:

20 **28. Practice of pharmacy.** "Practice of pharmacy" means the provision of health
21 care services that includes the interpretation and evaluation of prescription drug orders;
22 the compounding, dispensing and labeling of drugs and devices, except labeling by a
23 manufacturer, packer or distributor of nonprescription drugs and commercially packaged
24 legend drugs and devices; the participation in drug selection and drug utilization reviews;
25 the proper and safe storage of drugs and devices and the maintenance of proper records
26 for these drugs and devices; the administration of vaccines licensed by the United States
27 Food and Drug Administration that are recommended by the United States Centers for
28 Disease Control and Prevention Advisory Committee on Immunization Practices, or
29 successor organization, for administration to adults; the performance of collaborative
30 drug therapy management; the responsibility for advising, when necessary or regulated,
31 of therapeutic values, content, hazards and use of drugs and devices; the ordering and
32 dispensing of over-the-counter nicotine replacement products approved by the United
33 States Food and Drug Administration; and the offering or performing of those acts,
34 services, operations or transactions necessary in the conduct, operation, management and
35 control of a pharmacy.

36 **SUMMARY**

37 This bill specifies that the practice of pharmacy is the provision of health care
38 services.