

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1177

H.P. 855

House of Representatives, March 22, 2021

An Act To Increase Access to Intranasal Naloxone Hydrochloride for Syringe Services Programs

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative McDONALD of Stonington.
Cosponsored by Representatives: COLLINGS of Portland, ROEDER of Bangor, SUPICA of Bangor, TALBOT ROSS of Portland, WARREN of Scarborough, Senator: CLAXTON of Androscoggin.

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

2 **Sec. 1. 22 MRSA §1341, sub-§2, ¶I**, as enacted by PL 2015, c. 507, §1, is amended
3 to read:

4 I. Complaint investigation procedures; ~~and~~

5 **Sec. 2. 22 MRSA §1341, sub-§2, ¶J**, as enacted by PL 2015, c. 507, §1, is amended
6 to read:

7 J. Criteria for decertification of hypodermic apparatus exchange programs; and

8 **Sec. 3. 22 MRSA §1341, sub-§2, ¶K** is enacted to read:

9 K. Distribution of intranasal naloxone hydrochloride through a vending machine
10 accessible with a card provided, monitored and distributed by a certified hypodermic
11 apparatus exchange program to a participant in the program.

12 **Sec. 4. 22 MRSA §2353, sub-§4, ¶C** is enacted to read:

13 C. An overdose prevention program established under this subsection in partnership
14 with a certified hypodermic apparatus exchange program may distribute intranasal
15 naloxone hydrochloride through a vending machine in accordance with section 1341,
16 subsection 2, paragraph K.

17 **Sec. 5. Department of Health and Human Services to amend its rules**
18 **regarding hypodermic apparatus exchange programs.** The Department of Health
19 and Human Services shall amend its rules in Chapter 252: Rules Governing the
20 Implementation of Hypodermic Apparatus Exchange Programs, no later than October 1,
21 2021 to permit intranasal naloxone hydrochloride distribution through vending machines
22 in accordance with the Maine Revised Statutes, Title 22, section 1341, subsection 2,
23 paragraph K. Rules adopted pursuant to this section are routine technical rules as defined
24 in Title 5, chapter 375, subchapter 2-A.

25 **SUMMARY**

26 This bill allows hypodermic apparatus exchange programs and overdose prevention
27 programs to distribute intranasal naloxone hydrochloride through vending machines in
28 accordance with rules adopted by the Department of Health and Human Services.