

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1293

S.P. 413

In Senate, March 29, 2021

An Act To Improve Access to Certain Injectable Medications for Treatment of Mental Illness and Substance Use Disorder

Reference to the Committee on Health Coverage, Insurance and Financial Services 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 CLAXTON of Androscoggin.

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

2 **Sec. 1. 32 MRSA §13702-A, sub-§2-A**, as enacted by PL 2013, c. 308, §1, is
3 amended to read:

4 **2-A. Collaborative drug therapy management.** "Collaborative drug therapy
5 management" means the initiating, administering, monitoring, modifying and
6 discontinuing of a patient's drug therapy by a pharmacist as authorized by a practitioner in
7 accordance with a collaborative practice agreement. "Collaborative drug therapy
8 management" includes collecting and reviewing patient histories; obtaining and checking
9 vital signs, including pulse, temperature, blood pressure and respiration; and, under the
10 supervision of, or in direct consultation with, a practitioner, ordering and evaluating the
11 results of laboratory tests directly related to drug therapy when performed in accordance
12 with approved protocols applicable to the practice setting and when the evaluation does not
13 include a diagnostic component.

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

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

33 **Sec. 3. 32 MRSA §13831, sub-§5** is enacted to read:

34 **5. Administration of injectable drugs.** A pharmacist who meets the qualifications
35 and requirements of section 13832 and rules adopted by the board may administer to adults
36 by intramuscular and subcutaneous injection drugs approved by the United States Food and
37 Drug Administration to treat mental illness or substance use disorder under the following
38 conditions:

39 A. Upon the order of a practitioner to dispense and administer the drug, as long as the
40 practitioner is notified after administration is complete in accordance with section
41 13833, subsection 3; or

42 B. While engaged in collaborative drug therapy management pursuant to a
43 collaborative practice agreement in accordance with the requirements of subchapter 14.

