

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2013**

under this chapter since December 31, 1989 or was born before December 1, 1964.

See title page for effective date.

**CHAPTER 164  
S.P. 483 - L.D. 1376**

**An Act To Ensure the Choice of a Pharmacy for Injured Employees under the Workers' Compensation Act of 1992**

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

**Sec. 1. 39-A MRSA §206, sub-§11**, as amended by PL 2007, c. 695, Pt. B, §24, is further amended to read:

**11. Generic drugs.** Providers shall prescribe generic drugs whenever medically acceptable for the treatment of an injury or disease for which compensation is claimed. An employee shall purchase generic drugs for the treatment of an injury or disease for which compensation is claimed if the prescribing provider indicates that generic drugs may be used and if generic drugs are available at the time and place of purchase under subsection 11-A. If an employee purchases a nongeneric drug when the prescribing provider has indicated that a generic drug may be used and a generic drug is available at the time and place of purchase, the insurer or self-insurer is required to reimburse the employee for the cost of the generic drug only. For purposes of this ~~section~~ subsection, "generic drug" has the same meaning found in Title 32, section 13702-A, subsection 14.

**Sec. 2. 39-A MRSA §206, sub-§11-A** is enacted to read:

**11-A. Pharmacy choice.** An employee who has been prescribed drugs for the treatment of an injury or disease for which compensation is claimed has the right to select the provider, pharmacy or pharmacist for dispensing and filling the prescription for the drugs.

For purposes of this subsection, "drug" has the same meaning as in Title 32, section 13702-A, subsection 11.

See title page for effective date.

**CHAPTER 165  
H.P. 238 - L.D. 333**

**An Act To Amend the Provision of Law That Requires the Trade Name or Brand of Malt Liquor To Be Displayed in Full Sight of a Customer on a Faucet, Spigot or Dispensing Apparatus**

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

**Sec. 1. 28-A MRSA §712, sub-§2**, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed and the following enacted in its place:

**2. Serve from faucet, spigot, dispensing apparatus by trade name.** A licensee may not furnish or serve any malt liquor from any faucet, spigot or other dispensing apparatus, unless:

A. The trade name or brand of the malt liquor served appears in full sight of the customer in legible lettering upon the faucet, spigot or dispensing apparatus; or

B. The licensee displays a list of all malt liquors currently available on tap that is clearly visible to patrons of the establishment in a manner that allows a patron to identify the trade name or brand of the malt liquor that is being dispensed from each faucet, spigot or dispensing apparatus.

See title page for effective date.

**CHAPTER 166  
H.P. 294 - L.D. 422**

**An Act Regarding Enrollment and Graduation Rates of First-generation Higher Education Students**

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

**Sec. 1. 20-A MRSA §10013** is enacted to read:

**§10013. Report on first-generation students**

**1. Data and strategies.** By January 15, 2014, and annually thereafter, the Board of Trustees of the University of Maine System, the Board of Trustees of the Maine Community College System and the Board of Trustees of the Maine Maritime Academy shall each submit to the joint standing committee of the