

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 4, 2018.

CHAPTER 364

S.P. 183 - L.D. 565

An Act Regarding the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists

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

Sec. 1. 22 MRSA §2353, sub-§1, ¶D, as enacted by PL 2015, c. 508, §1, is amended to read:

D. "Pharmacist" means a pharmacist authorized to prescribe and dispense naloxone hydrochloride pursuant to Title 32, section 13815.

Sec. 2. 22 MRSA §2353, sub-§2, ¶A-1, as enacted by PL 2015, c. 508, §2, is amended to read:

A-1. A pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to an individual at risk of experiencing an opioid-related drug overdose.

Sec. 3. 22 MRSA §2353, sub-§2, ¶A-2, as enacted by PL 2017, c. 249, §1, is repealed.

Sec. 4. 22 MRSA §2353, sub-§2, ¶C-1, as enacted by PL 2015, c. 508, §2, is amended to read:

C-1. A pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to a member of an individual's immediate family or a friend of the individual or to another person in a position to assist the individual if the individual is at risk of experiencing an opioid-related drug overdose.

Sec. 5. 22 MRSA §2353, sub-§2, ¶C-2, as enacted by PL 2017, c. 249, §1, is repealed.

Sec. 6. 32 MRSA §13815, sub-§1, as enacted by PL 2017, c. 249, §2, is repealed.

Sec. 7. 32 MRSA §13815, sub-§2, as enacted by PL 2017, c. 249, §2, is amended to read:

2. Rules for prescribing and dispensing naloxone hydrochloride. The board by rule shall establish standards for authorizing pharmacists to prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2, paragraphs ~~A-2 and C-2~~ A-1 and C-1. The rules must establish adequate training requirements and protocols

for prescribing and dispensing naloxone hydrochloride when there is no prescription drug order, standing order or collaborative practice agreement authorizing naloxone hydrochloride to be dispensed to the intended recipient. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A pharmacist authorized by the board pursuant to this subsection to prescribe and dispense naloxone hydrochloride may prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2, paragraphs ~~A-2 and C-2~~ A-1 and C-1.

~~This subsection is repealed July 1, 2019.~~

Sec. 8. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 117, subchapter 11-A, in the subchapter headnote, the words "dispensing of naloxone hydrochloride" are amended to read "prescribing and dispensing of naloxone hydrochloride" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 365

S.P. 689 - L.D. 1837

An Act To Allow Cash Prizes for Certain Raffles Conducted by Charitable Organizations

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, recent changes to the laws governing raffles have hampered the ability of charitable nonprofits and civic organizations to conduct the types of raffles that generate a significant percentage of revenues raised by those organizations in a calendar year; and

Whereas, the law must be amended before the expiration of the 90-day period because charitable nonprofits and civic organizations use raffles to raise funds for their charitable purposes and it is a hardship for those groups to be limited in their fund raising; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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