

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN

—
H.P. 1098 - L.D. 1594

An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists

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

Whereas, the State is facing a crisis due to the rapidly increasing number of opioid-related drug overdose deaths; 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:

Sec. 1. 22 MRSA §2353, sub-§2, ¶¶A-2 and C-2 are enacted to read:

A-2. Until July 1, 2019, 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.

C-2. Until July 1, 2019, 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Sec. 2. 32 MRSA §13815, as enacted by PL 2015, c. 508, §5, is repealed and the following enacted in its place:

§13815. Authorization

1. Rules for dispensing naloxone hydrochloride. The board by rule shall establish procedures and standards for authorizing pharmacists to dispense naloxone hydrochloride in accordance with Title 22, section 2353. The rules must establish adequate training requirements and protocols for dispensing naloxone hydrochloride by prescription drug

order or standing order or pursuant to a collaborative practice agreement. 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 dispense naloxone hydrochloride may dispense naloxone hydrochloride in accordance with Title 22, section 2353.

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. 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, paragraphs A-2 and C-2.

This subsection is repealed July 1, 2019.

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