

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

—
H.P. 1325 - L.D. 1892

**An Act To Clarify the Prescribing and 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 number of deaths caused by opioid-related drug overdoses; and

Whereas, unanticipated confusion has arisen regarding the application of recently enacted laws that are intended to decrease the risks of opioid-related fatalities; and

Whereas, this legislation clarifies a perceived ambiguity in order to facilitate the unimpeded and expedient implementation of these critically important laws in order to save lives; 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Sec. 1. 22 MRSA §2353, sub-§2, ¶A-1, as enacted by PL 2015, c. 508, §2 and amended by PL 2017, c. 364, §2, is repealed and the following enacted in its place:

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

Sec. 2. 22 MRSA §2353, sub-§2, ¶A-2, as enacted by PL 2017, c. 249, §1 and repealed by c. 364, §3, is repealed.

Sec. 3. 22 MRSA §2353, sub-§2, ¶C-1, as enacted by PL 2015, c. 508, §2 and amended by PL 2017, c. 364, §4, is repealed and the following enacted in its place:

C-1. A pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to a person of any age who is 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Sec. 4. 22 MRSA §2353, sub-§2, ¶C-2, as enacted by PL 2017, c. 249, §1 and repealed by c. 364, §5, is repealed.

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