



132nd MAINE LEGISLATURE

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Legislative Document

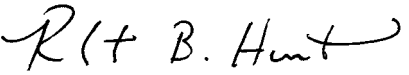
No. 765

H.P. 495

House of Representatives, February 25, 2025

An Act to Amend the Laws Governing the Controlled Substances Prescription Monitoring Program

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative MEYER of Eliot.

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

2 **Sec. 1. 22 MRSA §7246, sub-§5**, as amended by PL 2017, c. 360, §2, is further
3 amended to read:

4 **5. Prescriber.** "Prescriber" means a licensed health care professional or veterinarian
5 with prescriptive authority, including a licensed health care professional or veterinarian
6 who uses telehealth in providing health care to prescribe controlled substances to patients
7 located in this State.

8 **Sec. 2. 22 MRSA §7246, sub-§8** is enacted to read:

9 **8. Telehealth.** "Telehealth" has the same meaning as in Title 24-A, section 4316,
10 subsection 1, paragraph C.

11 **Sec. 3. 22 MRSA §7249, sub-§1**, as amended by PL 2017, c. 360, §3, is further
12 amended to read:

13 **1. Information required.** Except as provided in subsection 1-A or 1-B, each
14 dispenser shall submit to the department, by electronic means or other format specified in
15 a waiver granted by the department, specific items of information regarding dispensed
16 controlled substances as determined by the department from the following list: through
17 rules adopted to implement this subsection.

18 ~~A. The dispenser identification number;~~

19 ~~B. The date the prescription was filled;~~

20 ~~C. The prescription number;~~

21 ~~D. Whether the prescription is new or is a refill;~~

22 ~~E. The National Drug Code (NDC) for the drug dispensed;~~

23 ~~F. The quantity dispensed;~~

24 ~~G. The dosage;~~

25 ~~H. The patient identification number;~~

26 ~~I. The patient name;~~

27 ~~J. The patient address;~~

28 ~~K. The patient date of birth;~~

29 ~~L. The prescriber identification number;~~

30 ~~M. The date the prescription was issued by the prescriber; and~~

31 ~~N. The department issued serial number if the department chooses to establish a serial~~
32 ~~prescription system.~~

33 **Sec. 4. 22 MRSA §7250, sub-§8**, as enacted by PL 2017, c. 460, Pt. F, §6, is
34 amended to read:

35 **8. Report regarding program.** The department shall provide to the joint standing
36 committee of the Legislature having jurisdiction over health and human services matters
37 on or before ~~January~~ April 15th of each year, and at such other times as the committee
38 requests, data pertaining to the aggregate number of prescriptions of each drug required to

1 be included in the program, the number of prescribers participating in the program
2 categorized by specialty, any historical trends or patterns in prescribing practices within
3 the State, any progress in the implementation of information sharing agreements authorized
4 by subsection 4-A and any other information pertaining to the work of the program as
5 requested by the committee that is reasonably available to the department, as long as all
6 information reasonably likely to reveal the patient or the prescriber or other person who is
7 the subject of the information has been removed.

8 **Sec. 5. 22 MRSA §7254**, as amended by PL 2017, c. 213, §11, is repealed.

9 **Sec. 6. 32 MRSA §2210, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §13, is
10 amended by amending subparagraph (5) to read:

11 (5) Other circumstances determined in rule by the Department of Health and
12 Human Services pursuant to Title 22, section 7254, subsection 2; and

13 **Sec. 7. 32 MRSA §2600-C, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §17, is
14 amended by amending subparagraph (5) to read:

15 (5) Other circumstances determined in rule by the Department of Health and
16 Human Services pursuant to Title 22, section 7254, subsection 2; and

17 **Sec. 8. 32 MRSA §3300-F, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §20, is
18 amended by amending subparagraph (5) to read:

19 (5) Other circumstances determined in rule by the Department of Health and
20 Human Services pursuant to Title 22, section 7254, subsection 2; and

21 **Sec. 9. 32 MRSA §3657, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §23, is
22 amended by amending subparagraph (5) to read:

23 (5) Other circumstances determined in rule by the Department of Health and
24 Human Services pursuant to Title 22, section 7254, subsection 2; and

25 **Sec. 10. 32 MRSA §18308, sub-§2, ¶A**, as enacted by PL 2015, c. 488, §32, is
26 amended by amending subparagraph (5) to read:

27 (5) Other circumstances determined in rule by the Department of Health and
28 Human Services pursuant to Title 22, section 7254, subsection 2; and

29 SUMMARY

30 This bill amends the laws governing the Controlled Substances Prescription
31 Monitoring Program. It changes the definition of "prescriber" to mean a licensed health
32 care professional or veterinarian with prescriptive authority, including a licensed health
33 care professional or veterinarian who uses telehealth in providing health care to prescribe
34 controlled substances to patients located in this State; removes the itemized list of required
35 information to be reported to the program and provides the Department of Health and
36 Human Services authority to specify and determine this information by rule; extends the
37 annual reporting deadline from January 15th annually to April 15th annually; and repeals
38 the one-time rule-making authorization and exception from 2017.