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S.P. 242	In Senate, March 1, 2021

An Act Regarding the Practice of Pharmacy

Received by the Secretary of the Senate on February 25, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN of Cumberland.
Cosponsored by Senators: BRENNER of Cumberland, DIAMOND of Cumberland, STEWART of Aroostook, Representatives: MORRIS of Turner, PERRY of Calais.

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

Sec. 1. 32 MRSA §13702-A, sub-§22, as enacted by PL 2007, c. 402, Pt. DD, §2, is amended to read:

22. Pharmacist. "Pharmacist" means an individual provider of health care services licensed by this State to engage in the practice of pharmacy.

A. "Chain pharmacist" means an individual who is engaged in the practice of pharmacy within a chain; that is, where there is a corporate grouping of 4 or more pharmacies.

B. "Hospital pharmacist" means an individual who is engaged in the practice of pharmacy in a hospital setting.

C. "Independent pharmacist" means an individual who is engaged in the practice of pharmacy in an independent pharmacy; that is, where there are fewer than 4 pharmacies under the same ownership.

D. "Qualified assistant pharmacist" means an individual licensed by this State as a qualified assistant apothecary, qualified assistant or assistant pharmacist, provided that the license is in full force and effect, except for the right to serve as a pharmacist in charge.

Sec. 2. 32 MRSA §13702-A, sub-§28, as amended by PL 2017, c. 185, §1, is further amended to read:

28. Practice of pharmacy. "Practice of pharmacy" means the provision of health care services that include the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy.

Sec. 3. 32 MRSA §13722, sub-§1, ¶B, as enacted by PL 1987, c. 710, §5, is amended to read:

B. Establish the specifications of minimum professional and technical equipment, environment, supplies and procedure for the compounding ~~or~~, dispensing or administering of medications, drugs, devices and other materials within the practice of pharmacy;

SUMMARY

This bill amends the definition of the terms "pharmacist" and "practice of pharmacy" in the Maine Pharmacy Act. It also requires the Department of Professional and Financial Regulation, Maine Board of Pharmacy to establish the specifications for administering medications, drugs, devices and other materials within the practice of pharmacy.