



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 676

S.P. 207

In Senate, February 17, 2011

An Act To Enact Requirements Concerning Veterinary Prescriptions

Received by the Secretary of the Senate on February 17, 2011. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator COURTNEY of York.
Cosponsored by Representative: SHAW of Standish.

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

2 **Sec. 1. 32 MRSA §4876** is enacted to read:

3 **§4876. Disclosure; written prescription**

4 **1. Requirement.** Prior to selling, dispensing or distributing prescription drugs,
5 medicines, controlled substances or other prescription items, a licensed veterinarian shall:

6 A. Notify the animal's owner or the person responsible for the animal orally and in
7 writing of the option of obtaining the prescription item from the veterinarian or
8 obtaining the prescription item from a pharmacy of the owner's or responsible party's
9 choice where available; and

10 B. Whether or not requested by the animal's owner or the person responsible for the
11 animal, provide a written prescription to the owner or person responsible without
12 imposing a fee.

13 A person who violates this section commits an unfair trade practice in violation of
14 Title 5, section 207.

15 **SUMMARY**

16 This bill requires that prior to selling prescription medication to animal owners, a
17 veterinarian must first inform the owner both orally and in writing of the option to obtain
18 prescription items from a pharmacy of the owner's choice. The bill also requires that,
19 whether or not requested by the animal owner and without imposing a fee, the
20 veterinarian must provide a written prescription to the owner that the owner may elect to
21 have the veterinarian dispense or to have filled at a pharmacy. The bill makes violations
22 subject to the provisions of the Maine Unfair Trade Practices Act.