

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 495 - L.D. 765

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

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

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

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

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

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

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

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

- ~~A. The dispenser identification number;~~
- ~~B. The date the prescription was filled;~~
- ~~C. The prescription number;~~
- ~~D. Whether the prescription is new or is a refill;~~
- ~~E. The National Drug Code (NDC) for the drug dispensed;~~
- ~~F. The quantity dispensed;~~
- ~~G. The dosage;~~

- ~~H. The patient identification number;~~
- ~~I. The patient name;~~
- ~~J. The patient address;~~
- ~~K. The patient date of birth;~~
- ~~L. The prescriber identification number;~~
- ~~M. The date the prescription was issued by the prescriber; and~~
- ~~N. The department issued serial number if the department chooses to establish a serial prescription system.~~

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

8. Report regarding program. The department shall provide to the joint standing committee of the Legislature having jurisdiction over health and human services matters on or before ~~January~~ April 15th of each year, and at such other times as the committee requests, data pertaining to the aggregate number of prescriptions of each drug required to be included in the program, the number of prescribers participating in the program categorized by specialty, any historical trends or patterns in prescribing practices within the State, any progress in the implementation of information sharing agreements authorized by subsection 4-A and any other information pertaining to the work of the program as requested by the committee that is reasonably available to the department, as long as all information reasonably likely to reveal the patient or the prescriber or other person who is the subject of the information has been removed.

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

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

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

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

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

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

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

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

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

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

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