

Date: (Filing No. S- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE**

**SENATE**

**127TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 671, L.D. 1646, Bill, “An Act To Prevent Opiate Abuse by Strengthening the Controlled Substances Prescription Monitoring Program”

Amend the bill by striking out the title and substituting the following:

**'An Act To Clarify the Authority for Partial Dispensing of Opioid Prescriptions'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 32 MRSA §13702-A, sub-§20-A** is enacted to read:

**20-A. Opioid medication.** "Opioid medication" means a controlled substance containing an opioid included in schedule II of 21 United States Code, Section 812 or 21 Code of Federal Regulations, Part 1308.

**Sec. 2. 32 MRSA §13786-B** is enacted to read:

**§13786-B. Partial dispensing of prescription for opioid medication**

**1. Partial dispensing authorized.** Notwithstanding any law or rule to the contrary, a pharmacist may partially dispense a prescription for an opioid medication in a lesser quantity than the recommended full quantity indicated on the prescription if requested by the patient for whom the prescription is written. The remaining quantity of the prescription in excess of the recommended full quantity is void and may not be dispensed without a new prescription.

**2. Notice to practitioner.** If a pharmacist partially dispenses a prescription for an opioid medication as permitted under this section, the pharmacist or the pharmacist's designee shall, within a reasonable time following the partial dispensing but not more than 7 days, notify the practitioner of the quantity of the opioid medication actually dispensed. The notice may be conveyed by a notation on the patient's electronic health record or by electronic transmission, by facsimile or by telephone to the practitioner.'

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment, which is the minority report of the committee, replaces the bill. It authorizes pharmacists to partially fill prescriptions of schedule II controlled substances upon request from the patient.

**FISCAL NOTE REQUIRED**

**(See attached)**