

STATE OF MAINE

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

—
H.P. 984 - L.D. 1333

An Act Concerning the Controlled Substances Prescription Monitoring Program and the Dispensing of Naloxone Hydrochloride by Emergency Medical Services Providers

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an increasing number of residents of Maine are dying as a result of opioid-related overdoses; and

Whereas, increasing naloxone hydrochloride distribution is critical to saving lives; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §2353, sub-§2-A is enacted to read:

2-A. Dispensing of naloxone hydrochloride by emergency medical services persons, ambulance services and nontransporting emergency medical services. Notwithstanding any provision of law to the contrary, pursuant to a standing order issued in accordance with protocols developed by the Medical Direction and Practices Board pursuant to Title 32, section 88-B, subsection 1, paragraph A, an emergency medical services person, ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B may dispense naloxone hydrochloride to an individual of any age at risk of experiencing an opioid-related drug overdose or to a member of the individual's immediate family, a friend of the individual or another person in a position to assist the individual if the individual is at risk of experiencing an opioid-related drug overdose.

Sec. 2. 22 MRSA §7250, sub-§4, ¶K, as amended by PL 2017, c. 213, §6, is further amended to read:

K. The chief medical officer, medical director or other administrative prescriber employed by a licensed hospital, insofar as the information relates to prescriptions written by prescribers employed by that licensed hospital; ~~and~~

Sec. 3. 22 MRSA §7250, sub-§4, ¶K-1 is enacted to read:

K-1. The chief medical officer, medical director or other administrative prescriber employed by a federally qualified health center as defined in 42 United States Code, Section 1395x, subsection (aa) (1993) or a group practice of prescribers insofar as the information relates to prescriptions written by prescribers employed by the federally qualified health center or the group practice; and

Sec. 4. 32 MRSA §85, sub-§8 is enacted to read:

8. Naloxone hydrochloride. An emergency medical services person licensed under this chapter may dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2-A and the rules adopted and protocols developed for emergency medical services persons under this chapter.

Sec. 5. 32 MRSA §86, sub-§4 is enacted to read:

4. Naloxone hydrochloride. An ambulance service or a nontransporting emergency medical service licensed under this chapter may dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2-A and the rules adopted and protocols developed for ambulance services and nontransporting emergency medical services under this chapter.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.