



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 952

S.P. 307

In Senate, March 9, 2017

An Act To Ensure Access to Opiate Addiction Treatment in Maine

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WOODSOME of York.
Cosponsored by Representative POULIOT of Augusta and
Senators: BREEN of Cumberland, CUSHING of Penobscot, DION of Cumberland,
GRATWICK of Penobscot, LANGLEY of Hancock, Representatives: BATTLE of South
Portland, HARVELL of Farmington, VACHON of Scarborough.

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

2 **Sec. 1. 32 MRSA §2211** is enacted to read:

3 **§2211. Dispensing opioid medication to patients in opioid treatment programs**

4 A registered professional nurse and a certified nurse practitioner may dispense opioid
5 medication for substance abuse treatment purposes to patients within an opioid treatment
6 program under the direction of the medical director of the opioid treatment program.

7 **Sec. 2. 32 MRSA §2258-B** is enacted to read:

8 **§2258-B. Dispensing opioid medication to patients in opioid treatment programs**

9 A licensed practical nurse may dispense opioid medication for substance abuse
10 treatment purposes to patients within an opioid treatment program under the direction of
11 the medical director of the opioid treatment program.

12 **Sec. 3. 32 MRSA §13751, sub-§5** is enacted to read:

13 **5. Opioid treatment program; pharmacist oversight of take-home medication**
14 **dispensing.** An opioid treatment program under rules adopted by the board is not
15 required to maintain a pharmacist in charge to be responsible for the opioid treatment
16 program's compliance with this chapter, rules adopted by the board and federal and state
17 laws, rules and regulations specified in board rules. An opioid treatment program shall
18 enter into a written agreement with a licensed pharmacist to serve as a consultant on the
19 dispensing of opioid medication to patients for take-home use. The consultant pharmacist
20 shall visit the opioid treatment program at least once a month to review the
21 pharmaceutical services and monitor the services to ensure accuracy and prepare a report
22 including findings and recommendations for improvement. The opioid treatment
23 program shall maintain on site signed and dated reports for each on-site visit by the
24 consultant pharmacist. The consultant pharmacist shall develop procedures for the
25 distribution and controls of drugs and biologicals in the opioid treatment program;
26 compound, package, label and dispense all drugs to be administered to clients; inspect all
27 areas where drugs are stored, including, but not limited to, emergency supplies, to ensure
28 that all drugs are properly labeled, stored and controlled; and monitor drug therapy for
29 drug interactions and incompatibilities and maintain documentation of the drug
30 interactions and incompatibilities. The opioid treatment program in consultation with the
31 consultant pharmacist shall develop and implement written policies and procedures for
32 control and accountability, distribution and assurance of quality of all drugs and
33 biologicals. The opioid treatment program shall maintain records for all transactions of
34 pharmaceutical services as required by law and as necessary to maintain control of, and
35 accountability for, all drugs and pharmaceutical supplies. The dispensing of opioids for
36 take-home use by an opioid treatment program may be undertaken by any professional
37 whose scope of practice permits such dispensing. The board shall adopt rules to
38 implement this subsection. Rules adopted pursuant to this subsection are routine
39 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

