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An Act Regarding the Scope of Services That May Be Provided by Pharmacies Owned by Hospitals

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

Sec. 1. 22 MRSA §1832 is enacted to read:

§ 1832. Scope of services of hospital pharmacy

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Affiliated" means a relationship in which one entity owns 100% of the ownership interest in the hospital and the long-term care facility or nursing facility.
- B. "Hospital pharmacy" means a facility that is owned by and located in a hospital and is engaged in dispensing, delivering or distributing prescription drugs.
- C. "Long-term care facility" has the same meaning as in section 7852, subsection 9.
- D. "Nursing facility" has the same meaning as in section 1812-A.
- E. "Prescription drug" has the same meaning as in Title 32, section 13702-A, subsection 30.

2. Scope of services. A hospital pharmacy may dispense prescription drugs to a person who is a patient in the hospital that owns the pharmacy and to a person who is receiving health care services in a nursing facility or a long-term care facility that is affiliated with that hospital.

Sec. 2. 32 MRSA §13702-A, sub-§24, as enacted by PL 2007, c. 402, Pt. DD, §2, is amended to read:

24. Pharmacy. "Pharmacy" means:

- A. Any pharmacy or drug outlet located in a retail store, mail order business, free clinic or rural health center with facilities located in this State that is engaged in dispensing, delivering or distributing prescription drugs; or
- B. Any mail order prescription company, or wholesaler, with facilities located in this State or doing business in this State that is engaged in dispensing, delivering or distributing prescription drugs.

"Pharmacy" does not include a hospital pharmacy as defined in Title 22, section 1832, subsection 1, paragraph B.

SUMMARY

This bill provides that a pharmacy that is owned by and located in a hospital may dispense prescription drugs to a person who is a patient in that hospital and to a person who is receiving health care services in a nursing facility or a long-term care facility that is affiliated with that hospital. It clarifies that the definition of "pharmacy" in the Maine Pharmacy Act does not include a hospital pharmacy.