

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing the Controlled Substances Prescription Monitoring Program and To Review Limits on the Prescription of Controlled Substances

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

Sec. 1. 22 MRSA §7250, sub-§4, ¶H, as enacted by PL 2011, c. 218, §3, is amended to read:

H. Another state or a Canadian province pursuant to subsection 4-A.

Sec. 2. 22 MRSA §7250, sub-§4-A, as amended by PL 2011, c. 657, Pt. AA, §69, is further amended to read:

4-A. Information sharing with other states and Canadian provinces. The department may provide prescription monitoring information to and receive prescription monitoring information from another state or a Canadian province that has prescription monitoring information provisions consistent with this chapter and has entered into a prescription monitoring information sharing agreement with the department. The department may enter into a prescription monitoring information sharing agreement with another state or a Canadian province to establish the terms and conditions of prescription monitoring information sharing and interoperability of information systems and to carry out the purposes of this subsection. For purposes of this subsection, "another state" means any state other than Maine and any territory or possession of the United States, ~~but does not include a foreign country.~~

Sec. 3. Licensing boards to amend rules to require prescribers and dispensers to use the Controlled Substances Prescription Monitoring Program. The Board of Licensure in Medicine, Board of Osteopathic Licensure, Board of Dental Examiners, State Board of Nursing, Board of Licensure of Podiatric Medicine, Maine Board of Pharmacy and State Board of Veterinary Medicine shall examine the circumstances in which prescribers and dispensers of controlled substances should be required to check the prescription monitoring information maintained by the Controlled Substances Prescription Monitoring Program in the Maine Revised Statutes, Title 22, chapter 1603. No later than January 1, 2017, the Board of Licensure in Medicine, Board of Osteopathic Licensure, Board of Dental Examiners, State Board of Nursing and Board of Licensure of Podiatric Medicine shall amend the joint rule of the boards governing the use of controlled substances for treatment of pain to specify the circumstances in which prescribers of controlled substances are required to check the prescription monitoring information maintained by the Controlled Substances Prescription Monitoring Program. No later than January 1, 2017, the Maine Board of Pharmacy and State Board of Veterinary Medicine shall amend their rules to specify the circumstances in which dispensers of controlled substances are required to check the prescription monitoring information maintained by the Controlled Substances Prescription Monitoring Program.

Sec. 4. Licensing boards to review MaineCare prescribing limits. No later than January 1, 2017, the Board of Licensure in Medicine, Board of Osteopathic Licensure, Board of Dental Examiners, State Board of Nursing and Board of Licensure of Podiatric Medicine shall review the limits

on controlled substances applied by the MaineCare program on the effective date of this Act and determine whether these limits should apply to all patients and, if so, how these limits may be implemented. If these limits are found to be necessary and feasible, the boards shall amend their rules or a joint rule to implement these limits, but the amended rules or joint rule may not be effective prior to July 1, 2017.

Sec. 5. Department of Health and Human Services to amend rules to require registration of pharmacists. The Department of Health and Human Services shall amend its rules governing the Controlled Substances Prescription Monitoring Program no later than January 1, 2017 to require the registration of pharmacists as data requesters.

SUMMARY

This bill directs the licensing boards regulating prescribers and dispensers of controlled substances to engage in rulemaking regarding required use of the Controlled Substances Prescription Monitoring Program and to review the possibility of establishing prescribing limits. It requires pharmacists to register to use the program and allows the Department of Health and Human Services to provide prescription monitoring information to and receive prescription monitoring information from a Canadian province.