

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 Make Certain Contraception Available over the Counter**

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

**Sec. 1. 32 MRSA c. 117, sub-c. 12-A** is enacted to read:

### **SUBCHAPTER 12-A**

### **DISPENSING OF CONTRACEPTIVES**

#### **§ 13826. Authorization to dispense contraceptives**

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

A. "Hormonal contraceptive patch" means a transdermal patch applied to the skin of a patient, by the patient or by a practitioner, that releases a drug composed of a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy.

B. "Self-administered oral hormonal contraceptive" means a drug composed of a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed takes orally.

**2. Authorization.** In accordance with the requirements set forth in subsection 3, a pharmacist may prescribe and dispense hormonal contraceptive patches or self-administered oral hormonal contraceptives to a person who has evidence of a previous prescription from a practitioner for a hormonal contraceptive patch or self-administered oral hormonal contraceptive.

**3. Requirements for prescribing and dispensing contraceptives.** In order to prescribe and dispense contraceptives under this section, a pharmacist must:

A. Complete a training program approved by the board that is related to prescribing hormonal contraceptive patches and self-administered oral hormonal contraceptives;

B. Refer the patient to the patient's practitioner upon prescribing and dispensing the hormonal contraceptive patch or self-administered oral hormonal contraceptive;

C. Provide the patient with a written record of the hormonal contraceptive patch or self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a practitioner; and

D. Dispense the hormonal contraceptive patch or self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

**4. Prohibition.** A pharmacist may not require a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a hormonal contraceptive patch or self-administered oral hormonal contraceptive.

**5. Rulemaking.** The board shall adopt rules to establish standard procedures for the prescribing of hormonal contraceptive patches and self-administered oral hormonal contraceptives by pharmacists. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## SUMMARY

This bill authorizes pharmacists to prescribe and dispense hormonal contraceptive patches and self-administered oral hormonal contraceptives to a person who has evidence of a previous prescription from a practitioner for a hormonal contraceptive patch or self-administered oral hormonal contraceptive.