

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 Save Lives through Epinephrine Autoinjector Accessibility**

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

**Sec. 1. 22 MRSA §2150-F, sub-§5** is enacted to read:

**5. Pharmacist.** "Pharmacist" has the same meaning as in Title 32, section 13702-A, subsection 22.

**Sec. 2. 22 MRSA §2150-G, sub-§1-A** is enacted to read:

**1-A. Prescribing epinephrine autoinjectors permitted.** A pharmacist may prescribe and dispense epinephrine autoinjectors at no cost to:

A. A person of any age who the pharmacist reasonably believes is at risk of severe allergic reactions, including anaphylaxis; and

B. A person of any age who the pharmacist reasonably believes is in a position to assist a person at risk of severe allergic reactions, including anaphylaxis.

**Sec. 3. 22 MRSA §2150-G, sub-§5, ¶¶D and E,** as enacted by PL 2015, c. 231, §1, are amended to read:

D. An employee or agent of an authorized entity who has completed the training required by subsection 4 who provides an epinephrine autoinjector to a person pursuant to subsection 3, paragraph A or who administers an epinephrine autoinjector to a person in accordance with subsection 3, paragraph B; and

E. An individual or entity that conducts training in accordance with subsection 4-; and

**Sec. 4. 22 MRSA §2150-G, sub-§5, ¶F** is enacted to read:

F. A pharmacist that prescribes and dispenses epinephrine autoinjectors in accordance with subsection 1-A.

**Sec. 5. 22 MRSA §2150-H** is enacted to read:

### **§ 2150-H. Epinephrine Autoinjector Fund**

**1. Fund established.** The Epinephrine Autoinjector Fund, referred to in this section as "the fund," is established as a nonlapsing fund in the department for the purposes specified in this section.

**2. Source of funds.** The State Controller shall credit to the fund any funds appropriated or allocated to the fund.

**3. Uses of fund.** The fund must be used for expenses of the department to reimburse a pharmacist who has prescribed and dispensed an epinephrine autoinjector pursuant to section 2150-G, subsection 1-A.

**4. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 32 MRSA §13815, sub-§3** is enacted to read:

**3. Rules for prescribing and dispensing epinephrine autoinjector.** The board by rule shall establish standards for authorizing pharmacists to prescribe and dispense an epinephrine autoinjector in accordance with Title 22, section 2150-G, subsection 1-A. The rules must establish adequate training requirements and protocols for prescribing and dispensing an epinephrine autoinjector when there is no prescription drug order, standing order or collaborative practice agreement authorizing an epinephrine autoinjector to be dispensed to the intended recipient. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A pharmacist authorized by the board pursuant to this subsection to prescribe and dispense an epinephrine autoinjector may prescribe and dispense an epinephrine autoinjector in accordance with Title 22, section 2150-G, subsection 1-A.

**Sec. 7. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 32, chapter 117, subchapter 11-A, in the subchapter headnote, the words "prescribing and dispensing of naloxone hydrochloride" are amended to read "prescribing and dispensing of naloxone hydrochloride and epinephrine autoinjectors" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

## SUMMARY

This bill authorizes pharmacists to prescribe and dispense epinephrine autoinjectors at no cost to a person of any age who the pharmacist reasonably believes is at risk of experiencing severe allergic reactions, including anaphylaxis, or to a person who is in a position to assist the other person if the other person is at risk of experiencing severe allergic reactions, including anaphylaxis. It creates a fund within the Department of Health and Human Services to reimburse a pharmacist who has prescribed and dispensed an epinephrine autoinjector and directs the department to adopt routine technical rules to implement the fund.