



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1169

S.P. 355

In Senate, March 7, 2019

An Act To Provide Ready Access to Defibrillators in Businesses and Pharmacies

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DESCHAMBAULT of York.
Cosponsored by Representative MORALES of South Portland and
Senators: BELLOWS of Kennebec, CLAXTON of Androscoggin.

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

2 **Sec. 1. 10 MRSA §9722, sub-§6, ¶M**, as amended by PL 2015, c. 126, §2, is
3 further amended to read:

4 M. Adopt, amend and maintain the Maine Uniform Building Code and the Maine
5 Uniform Energy Code; ~~and~~

6 **Sec. 2. 10 MRSA §9722, sub-§6, ¶N**, as enacted by PL 2015, c. 126, §3, is
7 amended to read:

8 N. In the adoption and amendment of the Maine Uniform Building and Energy Code,
9 ensure that buildings used to house livestock or harvested crops are not subject to the
10 code; and

11 **Sec. 3. 10 MRSA §9722, sub-§6, ¶O** is enacted to read:

12 O. In the adoption and amendment of the Maine Uniform Building and Energy Code,
13 adopt standards requiring that commercial buildings built or renovated on or after
14 January 1, 2020, with occupant capacity exceeding 200 individuals, have on the
15 premises an operational automated external defibrillator, as defined in Title 22,
16 section 2150-C.

17 **Sec. 4. 32 MRSA §13752-A**, as amended by PL 2007, c. 402, Pt. DD, §25, is
18 further amended to read:

19 **§13752-A. Facility requirements; site inspections**

20 **1. Opening facility.** Pharmacies licensed pursuant to this subchapter may open and
21 operate the facility only:

22 A. Upon the approval of the board or its representative; or

23 B. Upon the pharmacist in charge certifying to the board, on forms prescribed by the
24 board, that the facility is secure, suitable for operation as a pharmacy and in
25 compliance with applicable federal and state laws, rules and regulations governing
26 the practice of pharmacy.

27 **2. Facility inspection.** Licensed pharmacies that open and operate pursuant to
28 subsection 1, paragraph B must be inspected by a member of the board or its
29 representative within 30 days of opening. Facilities that are found to be insecure, not
30 suitable for operation as a pharmacy or not in compliance with applicable federal and
31 state laws, rules and regulations governing the practice of pharmacy are subject to a
32 board-ordered emergency revocation of the license. The pharmacy may not operate after
33 revocation. The emergency revocation is a final agency action and is not subject to
34 judicial review, but a new application for licensure may be submitted pursuant to section
35 13752, and if approved, a site inspection must be performed pursuant to subsection 1,
36 paragraph A.

37 **3. Automated external defibrillators.** Beginning January 1, 2020, pharmacies
38 licensed as retail pharmacies, rural health center pharmacies and free clinic pharmacies

1 must ensure that there is an operational automated external defibrillator, as defined in
2 Title 22, section 2150-C, on the premises of the pharmacy and that at least one individual
3 trained in the appropriate and safe use of an automated external defibrillator is present at
4 all times the pharmacy is open to the public. The member of the board or its
5 representative conducting the site inspection pursuant to subsection 2 shall ensure the
6 automated external defibrillator is on the premises and operational.

7

SUMMARY

8 This bill requires the Technical Building Codes and Standards Board to amend the
9 Maine Uniform Building and Energy Code to require that commercial buildings built or
10 renovated on or after January 1, 2020 with occupancy exceeding 200 individuals have an
11 operational automated external defibrillator on the premises. The bill also requires that
12 retail pharmacies, rural health center pharmacies and free clinic pharmacies have an
13 automated external defibrillator on the premises, and that an individual trained in the use
14 of the defibrillator be present at all times the pharmacy is open to the public.