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GOVERNOR

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE
137 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0137

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February 10, 2021

Senator Heather B. Sanborn, Chair
Representative Denise A. Tepler, Chair
Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333

Re: LD 178 – “An Act To Reduce Waste of Prescription Medications”

Dear Senator Sanborn and Representative Tepler:

The Maine Board of Licensure in Medicine (“Board”) licenses and regulates allopathic physicians and physician assistants in Maine. The Board is composed of 11 members: 6 physicians who actively practice medicine; 2 physician assistants who actively render medical services; and 3 public members. The Board’s mission is to protect the public by ensuring its licensees are ethical, professional and competent. It fulfills this mission by licensing, regulating, and educating physician and physician assistants.

The Board offers the following comments neither in support of nor against LD 178:

LD 178 would prohibit a physician or physician assistant from prescribing more than a 30-day supply of a prescription drug to a patient who has not previously been prescribed the drug. While the Board understands and appreciates the intent behind the legislation, there may be instances where physicians or physician assistants provide a sample of trial medication to a patient in order to assess the efficacy and effectiveness of the medication prior to then prescribing the medication to the patient. One example of where this can occur is in the field of ophthalmology where the physician may dispense a free sample drug to a patient with glaucoma as an initial trial to see if it results in lowering the intraocular pressure or if there are other negative side effects. If the intraocular pressure is lowered and there are no side effects, the physicians then provide a 90-day prescription of the medication. This prescription is technically the first one issued but not the patient’s first experience with the medication. The bill would not allow these physicians to continue this practice, and may ultimately result in higher prescription costs for the patient.

Thank you for the opportunity to provide these comments regarding LD 178.

Sincerely,

Dennis E. Smith, Esq.
Executive Director