



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD OF PHARMACY
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

April 7, 2021

Senator Heather Sanborn, Chair
Representative Denise Tepler, Chair
Joint Standing Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333-0100

RE: **L.D. 1115, *An Act to Improve Access to HIV Prevention Medications***

Dear Senator Sanborn, Representative Tepler, and Members of the Committee:

The Office of Professional and Occupational Regulation (“OPOR”) is neither for nor against LD 1115, but offers the following information as it may be useful for the Committee’s consideration of this bill.

This bill is similar to one that was recently before the California Legislature (California Senate Bill 159). The California bill, signed into law in October 2019, allows California pharmacists who complete a training program to furnish 30 to 60 days of pre-exposure prophylaxis (commonly referred to as “PrEP”) or a full course of post-exposure prophylaxis (commonly referred to as “PEP”) to patients if they receive counseling on the drug’s effects and an HIV test.

L.D. 1115 similarly proposes adding a new section to the Maine Pharmacy Act to authorize pharmacists who undergo board-approved training to dispense HIV prevention drugs, pursuant to a standing order or protocols adopted by rule by the Board of Pharmacy (“Board”). The bill would allow pharmacists to dispense (i) a maximum of a 60-day supply of PrEP to a single patient once every two years without a doctor’s prescription, and (ii) a complete course of PEP, meant to be used in an emergency after possible exposure to the virus, to a patient without prescription.

It is already well within a pharmacist’s scope of practice to *dispense* these drugs and to counsel patients accordingly, as with any prescription medication. The distinction is that this bill directs the Board to establish standards for authorizing pharmacists to dispense these drugs without a prescription. However, a prescription is required to dispense any prescription medication.

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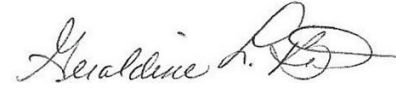
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LD 1115

Thank you for your time and consideration. I will be happy to answer questions at the work session.

Sincerely,

A handwritten signature in cursive script, appearing to read "Geraldine L. Betts". The signature is written in black ink and is positioned above the printed name.

Geraldine L. Betts, Board Administrator