



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1293

S.P. 413

In Senate, March 29, 2021

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### **An Act To Improve Access to Certain Injectable Medications for Treatment of Mental Illness and Substance Use Disorder**

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Reference to the Committee on Health Coverage, Insurance and Financial Services  
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 CLAXTON of Androscoggin.

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

2 **Sec. 1. 32 MRSA §13702-A, sub-§2-A**, as enacted by PL 2013, c. 308, §1, is  
3 amended to read:

4 **2-A. Collaborative drug therapy management.** "Collaborative drug therapy  
5 management" means the initiating, administering, monitoring, modifying and  
6 discontinuing of a patient's drug therapy by a pharmacist as authorized by a practitioner in  
7 accordance with a collaborative practice agreement. "Collaborative drug therapy  
8 management" includes collecting and reviewing patient histories; obtaining and checking  
9 vital signs, including pulse, temperature, blood pressure and respiration; and, under the  
10 supervision of, or in direct consultation with, a practitioner, ordering and evaluating the  
11 results of laboratory tests directly related to drug therapy when performed in accordance  
12 with approved protocols applicable to the practice setting and when the evaluation does not  
13 include a diagnostic component.

14 **Sec. 2. 32 MRSA §13702-A, sub-§28**, as amended by PL 2017, c. 185, §1, is  
15 further amended to read:

16 **28. Practice of pharmacy.** "Practice of pharmacy" means the interpretation and  
17 evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs  
18 and devices, except labeling by a manufacturer, packer or distributor of nonprescription  
19 drugs and commercially packaged legend drugs and devices; the participation in drug  
20 selection and drug utilization reviews; the proper and safe storage of drugs and devices and  
21 the maintenance of proper records for these drugs and devices; the administration of  
22 vaccines licensed by the United States Food and Drug Administration that are  
23 recommended by the United States Centers for Disease Control and Prevention Advisory  
24 Committee on Immunization Practices, or successor organization, for administration to  
25 adults; the administration to adults by intramuscular and subcutaneous injection of drugs  
26 approved by the United States Food and Drug Administration to treat mental illness or  
27 substance use disorder; the performance of collaborative drug therapy management; the  
28 responsibility for advising, when necessary or regulated, of therapeutic values, content,  
29 hazards and use of drugs and devices; the ordering and dispensing of over-the-counter  
30 nicotine replacement products approved by the United States Food and Drug  
31 Administration; and the offering or performing of those acts, services, operations or  
32 transactions necessary in the conduct, operation, management and control of a pharmacy.

33 **Sec. 3. 32 MRSA §13831, sub-§5** is enacted to read:

34 **5. Administration of injectable drugs.** A pharmacist who meets the qualifications  
35 and requirements of section 13832 and rules adopted by the board may administer to adults  
36 by intramuscular and subcutaneous injection drugs approved by the United States Food and  
37 Drug Administration to treat mental illness or substance use disorder under the following  
38 conditions:

39 A. Upon the order of a practitioner to dispense and administer the drug, as long as the  
40 practitioner is notified after administration is complete in accordance with section  
41 13833, subsection 3; or

42 B. While engaged in collaborative drug therapy management pursuant to a  
43 collaborative practice agreement in accordance with the requirements of subchapter 14.

1 **Sec. 4. 32 MRSA §13835, sub-§1,** as amended by PL 2011, c. 577, §8, is further  
2 amended to read:

3 **1. Criteria.** Criteria for the operation of a vaccine administration clinic inside, outside  
4 or off the premises of a retail pharmacy, rural health clinic or free clinic licensed under  
5 section 13751. The rules must require one-time board approval of the plan of operation for  
6 any vaccine administration clinics to be operated by a pharmacist or pharmacy and may not  
7 require board approval of each individual clinic; Criteria for the administration of drugs  
8 by intramuscular or subcutaneous injection inside, outside or off the premises of a retail  
9 pharmacy, rural health clinic or free clinic licensed under section 13751 and must require  
10 one-time board approval of the plan for the administration of drugs by intramuscular or  
11 subcutaneous injection by a pharmacist or pharmacy and may not require board approval  
12 for each administration;

13 **Sec. 5. 32 MRSA §13841, sub-§2, ¶D,** as enacted by PL 2013, c. 308, §4, is  
14 amended to read:

15 D. Initiate, administer, monitor, modify and discontinue drug therapy for a particular  
16 patient pursuant to the collaborative practice agreement with a practitioner who is  
17 treating the patient, as long as the action is reported to the practitioner in a timely  
18 manner as determined by rules adopted pursuant to section 13846.

19 **Sec. 6. 32 MRSA §13843, sub-§6, ¶A,** as enacted by PL 2013, c. 308, §4, is  
20 amended to read:

21 A. A provision that states that activity in the initial 3 months of a collaborative practice  
22 agreement is limited to monitoring drug therapy. After the initial 3 months, the  
23 practitioner and pharmacist shall meet to review the collaborative practice agreement  
24 and determine the scope of the agreement, which may after the initial 3 months include  
25 a pharmacist's initiating, administering, monitoring, modifying and discontinuing a  
26 patient's drug therapy and reporting these actions to the practitioner in a timely manner  
27 in accordance with rules adopted pursuant to section 13846;

28 **SUMMARY**

29 This bill permits pharmacists licensed within the State to administer to adults injections  
30 of drugs approved by the United States Food and Drug Administration for the treatment of  
31 mental illness and substance use disorder upon the order of a licensed practitioner or as part  
32 of a collaborative practice agreement.