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An Act To Require Health Care Practitioners To Distribute Free Samples of Medication in Certain Circumstances

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

Sec. 1. 22 MRSA §1721 is enacted to read:

§ 1721. Distribution of free samples of medications

A health care practitioner, as defined in section 1711-C, subsection 1, paragraph F, who is authorized to prescribe medications under Title 32, chapter 117, shall provide free samples of medications to a patient prior to submitting a prescription to a pharmacy for the same medication in order to test the reaction of the patient and the effectiveness in treatment of the disease or condition of the patient if:

1. Availability. The health care practitioner has available free samples in the correct dosage for the patient;

2. Appropriateness. The health care practitioner determines that providing free samples to the patient is appropriate for the patient; and

3. Timeliness. The health care practitioner determines that providing free samples will not delay necessary treatment.

SUMMARY

This bill requires health care practitioners to distribute free samples of medications to patients in order to test the reaction of the patient and the effectiveness in treatment of the disease or condition. The requirement to distribute free samples depends on availability, appropriateness and timeliness.