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An Act To Facilitate the Reporting of the Crime of Acquiring Drugs by Deception

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

Sec. 1. 17-A MRSA §1108, sub-§3, as amended by PL 2001, c. 383, §128 and affected by §156, is further amended to read:

3. For purposes of this section, information communicated to a physicianprescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, in an effort to violate this section, including a violation by procuring the administration of a scheduled drug by deception, may not be deemed a privileged communication.

Sec. 2. 17-A MRSA §1108, sub-§6 is enacted to read:

6. A prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, who knows or has reasonable cause to believe that a person is committing or has committed deception may report that fact to a law enforcement officer. A person participating in good faith in reporting under this subsection, or in participating in a related proceeding, is immune from criminal or civil liability for the act of reporting or participating in the proceeding.

Effective September 20, 2007