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Legislative Document

No. 1014

H.P. 712

House of Representatives, March 14, 2013

An Act To Improve Law Enforcement Access to Prescription Monitoring Program Data

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARKS of Pittston.
Cosponsored by Senator LACHOWICZ of Kennebec and
Representatives: CASSIDY of Lubec, GATTINE of Westbrook, Senator: BURNS of
Washington.

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

2 **Sec. 1. 22 MRSA §7250, sub-§4, ¶G**, as amended by PL 2011, c. 657, Pt. O, §3,
3 is further amended to read:

4 G. The office that administers the MaineCare program pursuant to chapter 855 for
5 the purposes of managing the care of its members, monitoring the purchase of
6 controlled substances by its members, avoiding duplicate dispensing of controlled
7 substances and providing treatment pattern data under subsection 6; ~~and~~

8 **Sec. 2. 22 MRSA §7250, sub-§4, ¶H**, as enacted by PL 2011, c. 218, §3, is
9 amended to read:

10 H. Another state pursuant to subsection 4-A; and

11 **Sec. 3. 22 MRSA §7250, sub-§4, ¶I** is enacted to read:

12 I. A law enforcement agency with the written approval of the Attorney General or of
13 the District Attorney for the jurisdiction in which the investigation is pending, insofar
14 as the information relates to an active investigation. Prescription monitoring
15 information in the possession or under the control of a law enforcement agency is
16 confidential and may be disseminated only in accordance with Title 16, section 614.
17 The department shall accommodate requests for prescription monitoring information
18 properly executed by law enforcement agencies pursuant to this paragraph. The
19 department, in consultation with the Attorney General, shall determine the manner by
20 which law enforcement agencies may request prescription monitoring information.

21 **SUMMARY**

22 This bill is a product of the Maine Prescription Drug Abuse Task Force established
23 by the Governor and the Attorney General through Executive Order 2012-002. This bill
24 allows a law enforcement agency access to prescription monitoring program information
25 only for an active law enforcement investigation. Information provided to a law
26 enforcement agency remains confidential and must be safeguarded in the same manner as
27 other investigative information.