



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 572

S.P. 187

In Senate, February 16, 2017

An Act To Amend the Laws Governing the Practice of Pharmacy

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator VOLK of Cumberland.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: BRAKEY of Androscoggin, KATZ of Kennebec, Representatives: CHACE of
Durham, PERRY of Calais.

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

2 **Sec. 1. 32 MRSA §13702-A, sub-§22**, as enacted by PL 2007, c. 402, Pt. DD,
3 §2, is amended to read:

4 **22. Pharmacist.** "Pharmacist" means an individual provider of health care services
5 licensed by this State to engage in the practice of pharmacy.

6 A. "Chain pharmacist" means an individual who is engaged in the practice of
7 pharmacy within a chain; that is, where there is a corporate grouping of 4 or more
8 pharmacies.

9 B. "Hospital pharmacist" means an individual who is engaged in the practice of
10 pharmacy in a hospital setting.

11 C. "Independent pharmacist" means an individual who is engaged in the practice of
12 pharmacy in an independent pharmacy; that is, where there are fewer than 4
13 pharmacies under the same ownership.

14 D. "Qualified assistant pharmacist" means an individual licensed by this State as a
15 qualified assistant apothecary, qualified assistant or assistant pharmacist, provided
16 that the license is in full force and effect, except for the right to serve as a pharmacist
17 in charge.

18 **Sec. 2. 32 MRSA §13702-A, sub-§28**, as amended by PL 2013, c. 308, §2, is
19 further amended to read:

20 **28. Practice of pharmacy.** "Practice of pharmacy" ~~means~~ is the provision of health
21 care services that includes the interpretation and evaluation of prescription drug orders;
22 the compounding, dispensing and labeling of drugs and devices, except labeling by a
23 manufacturer, packer or distributor of nonprescription drugs and commercially packaged
24 legend drugs and devices; the participation in drug selection and drug utilization reviews;
25 the proper and safe storage of drugs and devices and the maintenance of proper records
26 for these drugs and devices; the administration of vaccines licensed by the United States
27 Food and Drug Administration that are recommended by the United States Centers for
28 Disease Control and Prevention Advisory Committee on Immunization Practices, or
29 successor organization, for administration to adults; the performance of collaborative
30 drug therapy management; the responsibility for advising, when necessary or regulated,
31 of therapeutic values, content, hazards and use of drugs and devices; and the offering or
32 performing of those acts, services, operations or transactions necessary in the conduct,
33 operation, management and control of a pharmacy.

34 **SUMMARY**

35 This bill specifies that the practice of pharmacy is the provision of health care
36 services.