

OPIOID RELATED LEGISLATION AND RESULTS

130TH LEGISLATURE, FIRST REGULAR SESSION

Prepared by the Director of Opioid Response

July 15, 2021

Bills Passed

L.D. 8, An Act to Support Collection and Proper Disposal of Unwanted Drugs (Sen. Carney)

- This bill provides for the establishment of drug take-back stewardship programs. It requires certain drug manufacturers, as defined in the bill, to operate a drug take-back stewardship program to collect and dispose of certain drugs. P.L. 2021, ch. 94.

L.D. 330, An Act to Prevent Accidental Overdoses by Establishing a Protocol for Prescription Drug Recovery (Rep. Gramlich)

- This bill requires the Department of Health and Human Services to establish minimum criteria for the written policy for medication disposal that is required for use by hospice providers who provide services in the home. P.L. 2021, ch. 193.

L.D. 536, An Act to Amend the Maine Criminal Code (Sen. Deschambault)

- Part C of this bill updates 17-A M.R.S.A. §1111-B (Maine's Good Samaritan Law) to reflect changes Maine's probation laws. P.L. 2021, ch. 299.

L.D. 772, An Act to Permit Naloxone Possession, Prescription, Administration and Distribution in Public and Private Schools (Rep. Millett)

- This bill provides for the administration of naloxone hydrochloride in a noninjectable form to students, school staff and school visitors through collaborative practice agreements between physicians licensed in this State or school health advisors and public and private school nurses. P.L. 2021, ch. 115.

L.D. 858, An Act to Expand Recovery Services to Persons on Probation (Rep. McCreight)

- This bill implements limitations on arrests for probation violations based on drug and alcohol use and authorizes probation officers to impose additional conditions in lieu of probation revocation. The additional conditions replace incarceration with recovery services. P.L. 2021, ch. 403.

L.D. 963, An Act to Create Culturally Sensitive Treatment and Recovery Halfway Houses for Immigrants Transitioning out of the Juvenile Justice System (Rep. Brooks)

- This bill requires the Commissioner of Corrections to establish culturally informed treatment and recovery programs; culturally informed prevention, diversion, restorative justice and reentry and reintegration programs; and culturally informed reentry and reintegration halfway houses. P.L. 2021, ch. 339.

L.D. 994, An Act to Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses (Rep. McDonald)

- This bill allows a person to possess a residual amount of a scheduled drug that is contained in one or more hypodermic apparatuses without committing the crime of unlawful possession of a scheduled drug. This bill also repeals the law governing the crimes of trafficking in or furnishing hypodermic apparatuses and illegal possession of hypodermic apparatuses. P.L. 2021, ch. 434.

L.D. 1167, An Act Relating to Fair Chance in Employment (Rep. Talbot Ross)

- This bill prohibits an employer from requesting criminal history record information on an initial employee application form or stating on an initial employee application form or advertisement or specifying prior to determining a person is otherwise qualified for the position that a person with a criminal history may not apply or will not be considered for a position. This bill creates penalties between \$100 and \$500 for employers who violate this prohibition. P.L. 2021, ch. 404.

L.D. 1293, An Act to Improve Access to Certain Injectable Medications for Treatment of Mental Illness and Substance Use Disorder (Sen. Claxton)

- This bill permits pharmacists licensed with the State to administer to adults injections of drugs approved by the United States Food and Drug Administration for the treatment of mental illness and substance use disorder upon the order of a licensed practitioner or as part of a collaborative practice agreement. P.L. 2021, ch. 271.

L.D. 1333, An Act Concerning the Dispensation of Naloxone Hydrochloride by Emergency Medical Services (Rep. Zager)

- This bill authorizes emergency medical services persons, ambulance services and non-transporting emergency medical services to dispense naloxone hydrochloride to an individual who is at risk of experiencing an opioid-related drug overdose or to the individual's immediate family, a friend of the individual or another person in a position to assist the individual. It also authorized the chief medical officer, medical director or other administrative prescriber employed by a federally qualified health center or group practice to access prescription monitoring information pursuant to the Controlled Substances Prescription Monitoring Program when the access relates to the prescriptions written by the prescribers employed at the center or practice. P.L. 2021, ch. 161.

L.D. 1675, An Act to Amend Certain Provision of Maine's Drug Laws (Rep. Talbot Ross)

- This bill increases the amount of heroin or fentanyl powder required to create a permissible inference of trafficking in drugs and furnishing drugs. This bill also removes references to cocaine base in laws governing permissible inference or drug trafficking and drug furnishing. P.L. 2021, ch. 396.

L.D. 1718, An Act to Establish the Accidental Drug Overdose Death Review Panel (Rep. Evans)

- This bill establishes the Accidental Drug Overdose Death Review Panel to review a subset of deaths caused by accidental drug overdoses and to recommend to state, county, and local agencies methods of preventing deaths as the result of drug overdoses including modification of enactment of laws, rules, policies, and procedures. P.L. 2021, ch. 292.

Bills Carried Over to Next Year

L.D. 1059, An Act to Provide Substance Use Disorder Treatment to Adolescents

L.D. 1428, An Act to Increase the Availability of Nasal Naloxone in Community Settings

L.D. 1552, An Act to Provide Reentry Services to Persons Reentering the Community after Incarceration

L.D. 1772, An Act to Ensure Access to All Paths to Recovery for Persons Affected by Opioids Using Money Obtained through Litigation against Opioid Manufacturers