

## WAIVERS

State of Maine licensed pharmacies may apply for a waiver from electronic submission of controlled substance prescription information under the following circumstances.

1. The volume of controlled substances dispensed is so low, financial hardship will result from being required to make electronic submissions of prescription monitoring information.
2. The pharmacy does not currently deliver and/or dispense any controlled substances to ultimate users who have a Maine address.
3. If pharmacies identify other good cause, they may request a waiver by further explaining the circumstances and attaching substantiating documentation. See “[SAMHS Practice Guidelines](#)” for some instances which may be considered to be good cause.

### PROCESS FOR SUBMITTING A WAIVER

1. Waivers must be requested from the Office of Substance Abuse and Mental Health Services (SAMHS), Prescription Monitoring Program (PMP) (the “Office”) in writing.
2. Responses to waiver requests will be made no later than sixty (60) days from the date a completed application is received by the office.
3. [Waivers](#) may be granted wholly or partially depending on the circumstances.
  - a. If the pharmacy fills ten (10) or less prescriptions per month, then the pharmacy may be granted a waiver to submit reporting on a monthly basis rather than on a daily basis as stated in the DHHS Rule. Submissions must be done each month no later than by the 7<sup>th</sup> of each month.
  - b. If the Pharmacy does not dispense and/or deliver any controlled substances, then the pharmacy may be approved to upload data on a quarterly basis. Submissions must be done each calendar quarter no later than by the 7<sup>th</sup> of each quarter (Jan. 7<sup>th</sup>, April 7<sup>th</sup>, July 7<sup>th</sup> & Oct. 7<sup>th</sup>).
  - c. Waiver may be approved if the pharmacy identifies any other good cause. Duration of the waiver will depend on circumstance of the pharmacy’s status. (See “[SAMHS Practice Guidelines](#)” for some instances which may be considered to be good cause.)
4. Regardless of whether transactions for Schedule II, III or IV drugs occurred during a reporting period the pharmacy must submit “no activity” report unless a waiver has been approved by SAMHS.
5. Pharmacies must resubmit the Request for Waiver every year at the time of the Maine license renewal (every December 31<sup>st</sup>) to re-certify that the pharmacy does not deliver and/or dispense any controlled substances covered by the PMP.
6. Complaint will be filed with the Maine Board of Pharmacy for pharmacies not in compliance with the PMP reporting requirements. See [Compliance](#) for more information.
7. This policy is found in the PMP User Manual. [PMP User Manual](#)