



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
MAINE BOARD OF PHARMACY
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

April 10, 2023

Dear Licensee:

The Maine Board of Pharmacy wishes to advise you of your responsibility to cooperate with Board investigators and upon their request to provide records to those investigators. Each Board-licensed pharmacist and pharmacy has an obligation to comply with the Board's requests for information in a timely fashion independent of their employer's policies or directions. The Board's investigative authority includes, but is not limited to, the following:

- 1) The Board's, or its authorized investigator's, authority includes the "inspection during business hours of all pharmacies [and other facilities listed] . . . in which drugs or medicines are manufactured, stored, distributed, compounded, dispensed or retailed in this State." 32 M.R.S. §13721(1)(D)
- 2) The Board and its investigators "may investigate and gather evidence concerning alleged violations of this Act or of the rules of the Board." 32 M.R.S. § 13723(7).
- 3) The Board or its investigators may "remove from any [premises listed in 32 M.R.S. §13721] certain original records relating to scheduled or controlled substances, including but not limited to prescription records, shipping and delivery records, patient profiles, inventories and other drug records." 32 M.R.S. §13723(7).
- 4) The Board's Retention of Records rule chapter (Chapter 24) **requires all pharmacists and all pharmacies to produce records they are required to retain to the investigator when requested as follows:**
 - a. **Records for the most recent 12 months must be provided immediately.**
 - b. **Older records must be provided within 3 business days consistent with the Board's rules.**

A pharmacist working in a pharmacy has a separate and independent obligation to provide information and records when requested.

Failure to comply with this rule of the Board will result in a complaint being filed against a pharmacist's and / or pharmacy's license, pursuant to 5 M.R.S. § 8003(5-A)(A)(5) for

Licensing (207)624-8620
Main Receptionist (207)624-8603
Hearing Impaired/TTY MAINE RELAY 711

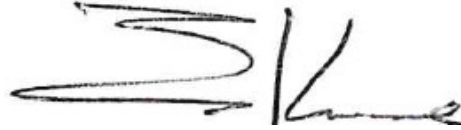

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

failure to comply with a board rule. Consistent with the Board's authority, licensees may be subject to discipline for each failure to comply, including, imposition by the Board of a warning, censure, or reprimand against, or a suspension or revocation of, their license, and the imposition of a civil penalty up to \$1,500.00 for each violation, or other discipline permitted by section 8003(5-A)(A)(5).

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Kane', written over a horizontal line.

EDWARD J. KANE, President
Maine Board of Pharmacy