**02-392**

Office of Professional and Occupational Regulation

**MAINE BOARD OF PHARMACY**

 2025- 2026 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-392**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional and Occupational Regulation, **Maine Board of Pharmacy**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2025-2026 RULEMAKING ACTIVITY:** Several laws passed will require the Board to adopt new rules and review current rules for updates. They include:

Expected rulemaking will be to implement legislation governing licensure by endorsement and provisional licensure and telehealth services. A review for conformance with statutes and current rules will be conducted and updated as may be necessary, including an update to discontinue the use of the terms “handicap,” “handicapped” and “hearing impaired” pursuant to 36 M.R.S. § 2557, sub-§2.

* *P.L. 2021, c. 289 –*  Update reporting timeline consistent with current and new laws.
* *P.L. 2021, c. 20* – Establish protocols for notifying practitioners when emergency refills of insulin are dispensed.
* *P.L. 2021, c. 265 –* Establish standards for authorizing pharmacists to prescribe, dispense and administer HIV prevention drugs, adequate training requirements and protocols for when there is no prescription drug order, standing order or collaborative practice agreement.
* *P.L. 2021, c. 271 –* Establish the criteria for one-time board approval of the plan for the administration of drugs by intramuscular or subcutaneous injection by an authorized pharmacist. The Board may review the qualifications and requirements for pharmacists on drug administration to ensure that it meets administration needs for intramuscular and subcutaneous drugs.
* *P.L. 2021, c. 84* – Review and update current continuing professional education requirements to reflect that a pharmacist who does not administer drugs and immunizations is not required to complete 2 hours of continuing professional education in drug administration.
* *P.L. 2021, c. 303 –* The Board may adopt rules to implement the Insulin Safety Net Program and insulin product registration pursuant to 32 M.R.S. § 13800-D, sub-§2.
* *P.L. 2021, c. 566* – The Board may adopt rules on dispensing an emergency supply of chronic maintenance drugs, which may include determining what constitutes a chronic maintenance drug and what reporting procedures are necessary in dispensing an emergency supply of a chronic maintenance drug.

The 131st Legislature also passed the following laws which may require the Board to adopt new rules:

* *P.L. 2023, c. 245* (LD 899) An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists (**Emergency**)
* *P.L. 2023, c. 170* (LD 1151) An Act Concerning the Authority for Pharmacists to Administer Vaccines (**Emergency**)
* *P.L. 2023*, *c. 115* (LD 351) An Act to Increase Access to Birth Control by Making Certain Contraception Accessible from a Pharmacist
* *P.L. 2023, c. 329*  (LD 1615) An Act Regarding Limits on Medication in Vending Machines
* *P.L. 2025, c. 136 (LD 239)* An Act to Allow Retail Pharmacies to Operate Remote Dispensing Sites in Rural Areas
* *P.L. 2025, c. 142 (LD 538)* An Act to Amend Maine’s Prescription Drug Labeling Law by Allowing the Removal of the Name of a Prescriber of Mifepristone, Misoprostol and Their Generic Alternatives

The Board may:

* Complete a review of its rules to update, streamline, and eliminate unnecessary rules, which may include, but is not limited to licensing of pharmacist, pharmacy intern and pharmacy technician and all company/entity licensing, practice requirements, reporting requirements of entities and to ensure that rules are compliant with current laws and practice standards, and provide clarification of certain rules as necessary. Consider pharmacist-in-charge duties and responsibilities for the operation of a licensed pharmacy with and without a PIC, operational decisions of a pharmacy, pharmacy hours of operation, unscheduled changes in pharmacy hours, closing and notifications, pharmacy technician, pharmacy intern and pharmacist practice and responsibilities.
* Consider repealing Rule Chapter 36 Licensure of Opioid Treatment Programs upon consideration that these treatment programs are regulated federally by Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Health and Human Services (HHS) and the Maine Department of Health and Human Services, Division of Licensing and Regulatory Services.
* Review and update rules as authorized by law on the prescribing, dispensing, administration and reporting of drugs and immunizations to data repository systems and/or health care providers. Review and update as may be necessary training for board-certification, supervision, and continuing professional education.
* Consider remote prescription delivery systems and pharmacy practice to the extent permitted by law.
* Review all current federal and state regulations and good practice guidelines adopted by reference for updates and may consider related federal regulations based on practice need determination, including sterile and nonsterile compounding.
* Review rules throughout for updates to the term “habitual substance abuse” to “habitual substance use” pursuant to P.L. 2018, c. 407.
* Amend recently adopted rules for the sale of nonprescription drugs through vending machines, compounding drugs for veterinary office use, and for the operation of a vaccine administration clinics and treatment protocols for any updates or omissions.
* Consider rules for purposes of registration of manufacturers that produce opioids and opioid product registration and may be necessary for requirements under P.L. 2019, c. 536 to improve accountability of opioid manufacturers.
* Consider recommendations to pharmacies on use of 2-dimensional machine-scannable barcode that can be read by use of electronic devices for storing information to better assist individuals with reading impairments or directing or leading a user to additional prescription drug use and information.
* Review and update rules related to the Drug Supply Chain Security Act (DSCSA) Implementation and Readiness Efforts for 2023. This may include reviewing rules related to manufacturing, wholesale distributors, and pharmaceutical distribution supply chains, including third-party logistic providers for purposes of identifying and tracing certain prescription drugs as the drugs are distributed throughout the country and protect the public from exposure to drugs that may be counterfeit, diverted, stolen, intentionally adulterated or harmful.
* Review collaborative drug therapy management rules for updates or adjustments. The comprehensive review of all chapters will update, consolidate, streamline, and eliminate unnecessary rules and to ensure the rules are consistent with current rulemaking authorization granted by the Maine Legislature.

**CHAPTER 1**: **Definitions**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13723

PURPOSE: This chapter defines certain specialized terms used throughout all rules adopted by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 2**: **Advisory Rulings**

STATUTORY BASIS: 5 M.R.S. §§ 8051, 9001(4)

PURPOSE: This chapter provides for the discretionary issuance of advisory rulings by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 3**: **Applicability of Rules to Unregistered Facilities**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(D), 13723

PURPOSE: This chapter provides for the applicability of the board’s rules to the facilities identified in 32 M.R.S. §13721(1)(D). The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 4**: **Licensure of Pharmacists**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13723, 13732, 13733, 13734

PURPOSE: This chapter sets forth the application procedure for persons applying for licensure as a pharmacist. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 4-A**: **CHAPTER 4-A**: **Administration of Drugs and Vaccines and Operation of a Drug or Vaccine Administration Clinic Inside, Outside or Off the Premises of Licensed Retail Pharmacy, Rural Health Clinic or Free Clinic**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13723, 13831, 13832, 13833, 13834(1), 13835

PURPOSE: This chapter sets forth minimum requirements for treatment protocols, administration and recordkeeping requirements, and standards for the operation of drug administration clinics. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 5**: **Continuing Pharmacy Education**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13723, 13735

PURPOSE: This chapter implements the requirement in 32 M.R.S. § 13735 that each pharmacist complete 15 hours of continuing pharmacy education annually as a condition of license renewal. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 6**: **Pharmacy Student Internship Programs *(Repealed)***

**CHAPTER 6-A**: **Pharmacy Student Internship Programs**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(G), 13723, 13732(3), 13834(1)

PURPOSE: This chapter sets forth requirements of the pharmacy student internship required for licensure by Chapter 4, Section 1(4)(B) of the board's rules. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 7**: **Licensure and Employment of Pharmacy Technicians**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(I)(H), 13723

PURPOSE: This chapter sets forth the qualifications, permissible duties and supervision responsibilities of the pharmacist in charge with respect to licensed pharmacy technicians. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 8**: **Licensure of Retail Drug Outlets**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723, 13751, 13752, 13752-A, 13753

PURPOSE: This chapter sets forth licensure requirements for retain drug outlets. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 9**: **Registration of Rural Health Centers**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13723, 13751, 13762, 13763, 13764

PURPOSE: This chapter sets forth registration requirements for rural health centers. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 10**: **Registration of Free Clinics**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13723, 13751, 13752, 13752-A, 13753

PURPOSE: This chapter sets forth registration requirements for free clinics. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 11**: **Registration of Mail Order Prescription Pharmacies and Licensure of Mail Order Contact Lens Suppliers**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13721(2), 13723, 13751, 13752, 13752-A, 13753

PURPOSE: This chapter sets forth registration requirements for mail order prescription pharmacies and license requirements for mail order contact lens suppliers. This chapter also contains enforcement provisions unique to these two types of drug outlet. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 12**: **Licensure of Manufacturers and Wholesalers**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13723, 13751, 13758

PURPOSE: This chapter sets forth license requirements for wholesalers, also known as wholesale pharmacies or wholesale drug distributors, and manufacturers. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 13**: **Operation of Retail Pharmacies**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13751

PURPOSE: This chapter sets forth operation requirements for retail pharmacies licensed by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 14**: **Pharmacy Services at Rural Health Centers**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13762, 13763, 13764

PURPOSE: This chapter sets forth requirements for the pharmacy services provided by rural health centers licensed by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 15**: **Operation of Free Clinics**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723

PURPOSE: This chapter sets forth requirements for the operation of free clinics licensed by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 16**: **Operation of Wholesalers and Manufacturers**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13751(3), 13758

PURPOSE: This chapter sets forth operational requirements for wholesale drug distributors, including wholesalers and manufacturers. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 17**: **Operation of Nuclear Drug Outlets**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723

PURPOSE: This chapter incorporates by reference rules of the Maine Radiation Control Program applicable to nuclear drug outlets. The board may review this chapter for conformance with statutes and rules and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 19**: **Receipt and Handling of Prescription Drug Orders**

STATUTORY BASIS: 22 M.R.S. § 2681(6); 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13781, 13785, 13786-A, 13794, 13795

PURPOSE: This chapter sets forth requirements for creating, transmitting, filling and transferring prescription drug orders. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 20**: **Automated Pharmacy Systems**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722(1)(B-1), 13723, 13751(3)

PURPOSE: This chapter sets forth requirements for automated pharmacy systems. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 20-A**: **Self-Service Customer Kiosks**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722(1)(B-1), 13723, 13751(3)

PURPOSE: This chapter sets forth requirements for self-service customer kiosks. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year.

AFFECTED PARTIES: Retail pharmacists, retail pharmacies, and members of the public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 21**: **Central Prescription Processing**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13784, 13785, 13794

PURPOSE: This chapter sets forth requirements for central prescription processing. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 22**: **Sale of Schedule V Controlled Substances**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722(1)(E), 13723

PURPOSE: This chapter sets forth requirements for the sale of Schedule V controlled substances. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 23**: **Accounting for Prescription Drugs**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723

PURPOSE: This chapter sets forth requirements relating to maintenance of a perpetual inventory, disposal of drugs, and reporting the loss of controlled substances. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 24**: **Retention of Records by Pharmacies**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722(1)(B-1), 13723(7), 13785

PURPOSE: This chapter sets forth record retention requirements for pharmacies. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 25**: **Patient Counseling**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13784

PURPOSE: This chapter sets forth the pharmacist’s obligation to counsel patients. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 26**: **Generic Substitutions**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13781

PURPOSE: This chapter defines and outlines the use of generic and therapeutically equivalent drugs by pharmacists. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 27: Possession and Administration of Noncontrolled Prescription Drugs by Nurses**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1), 13722, 13723, 13810

PURPOSE: This chapter defines the conditions under which nurses can possess and administer noncontrolled prescription drugs. This chapter, including the chapter title, will be amended to include new rules on the possession, dispensing and administration of certain noncontrolled drugs and substances to certified midwives.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 28**: **Enforcement and Disciplinary Procedures**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(F), 13722, 13723, 13741

PURPOSE: This chapter sets forth a licensee’s right to appeal certain board actions and specifies the enforcement and disciplinary procedures used by the board. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 29**: **Violations of Federal Law or Rule; Other Standards**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(F), 13722, 13723, 13742-A(1)(C)

PURPOSE: This chapter recognizes certain state and federal statutes and rules and certain chapters of the U.S. Pharmacopeia as having established standards of professional behavior, the violation of which constitutes unprofessional conduct pursuant to 32 M.R.S. § 13742-A(1)(C). The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 30**: **Unprofessional Conduct**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(F), 13722, 13723, 13742-A(1)(C)

PURPOSE: This chapter establishes standards of professional behavior, the violation of which constitutes unprofessional conduct pursuant to 32 M.R.S. § 13742-A(1)(C). The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 31**: **Practice of Fraud or Deceit**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(F), 13722, 13723, 13741, 13742(2)(A)

PURPOSE: For purposes of 32 M.R.S. § 13742(2)(A), the practice of fraud or deceit includes, but is not limited to, the conduct described in this chapter. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 32**: **Issuance of Citations**

STATUTORY BASIS: 10 M.R.S. § 8003-E; 32 M.R.S. §§ 13720, 13721(1)(F), 13722, 13723

PURPOSE: This chapter lists the violations for which a citation may be issued, describes the licensee’s right to request a hearing, and describes the time and manner in which the fine must be paid or a hearing requested. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 33**: **Access to Certain Medications by Certified Midwives**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13722, 13723, 13811, 13812

PURPOSE: This chapter implements P.L. 2007, c. 669 by: (a) regulating the sale of certain noncontrolled drugs and substances to certified midwives, (b) regulating the purchase and administration of certain noncontrolled drugs and substances by certified midwives, and (c) requiring certified midwives to record and report their purchase and administration of certain noncontrolled drugs and substances.

This chapter will be repealed because of P. L. 2015, c. 502, which repealed 32 M.R.S. §§ 13811 and 13812, the statutory references for this rule.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 34**: **Licensure of Retail Suppliers of Medical Oxygen**

STATUTORY BASIS: 22 M.R.S. §§ 2681(6); 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723, 13751(3), 13752, 13752‑A, 13753(1)(D)

PURPOSE: This chapter establishes a limited type of retail pharmacy license for retail suppliers of medical oxygen. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Retail suppliers of medical oxygen and prescription devices

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 35**: **Licensure of Extended Hospital Pharmacies**

STATUTORY BASIS: 22 M.R.S. § 2681(6); 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723, 13751(3), 13752, 13752-A, 13753(1)(D)

PURPOSE: This chapter provides for the licensure of extended hospital pharmacies. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees, residents of long-term care facilities that are wholly owned by the hospital in which the extended hospital pharmacy is located.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 36:** **Licensure of Opioid Treatment Programs *(Repealed 11/04/2023 filing 2023-221)***

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723, 13751(3), 13752, 13752-A, 13753(1)(D)

PURPOSE: This chapter provides for the licensure of opioid treatment programs. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees, general public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 37: Licensure of Sterile Compounding Pharmacies**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723,

13751(3), 13752, 13752-A, 13753(1)(D)

PURPOSE: This chapter provides for the licensure of sterile compounding pharmacies. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees, general public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 38**: **Licensure of Closed-Shop Pharmacies**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13721(1)(E), 13722(1)(B), 13723, 13751(3), 13752, 13752-A, 13753(1)(D)

PURPOSE: This chapter provides for the licensure of closed-shop pharmacies. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees, residents of long-term care facilities and other institutions

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 39**: **Collaborative Drug Therapy Management *(a joint rule with 02-373, Board of Licensure in Medicine, ch. 5)***

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13846

PURPOSE: This chapter is a joint rule between the Board of Licensure in Medicine and the Board of Pharmacy for purposes of establishing safe and effective collaborative practice agreements, treatment protocols, and documentation and reporting requirements between a pharmacist and a practitioner. The board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees of the Maine Boards of Pharmacy and Medicine.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 39-A**: **Collaborative Drug Therapy Management *(a joint rule with 02-380, Board of Nursing, ch. 1)***

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13846

PURPOSE: This chapter is a joint rule between the Board of Nursing and the Board of Pharmacy for purposes of establishing safe and effective collaborative practice agreements, treatment protocols, and documentation and reporting requirements between a pharmacist and a nurse practitioner.

SCHEDULE FOR ADOPTION: Within one year.

AFFECTED PARTIES: Licensees of the Maine Boards of Pharmacy and Nursing.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 40**: **Authorization, Training and Procedures for Prescribing and Dispensing Naloxone Hydrochloride**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13815

PURPOSE: This chapter establishes procedures and standards for authorizing pharmacists to prescribe and dispense naloxone hydrochloride (“Naloxone HCl”) and training requirements and protocols for prescribing and dispensing naloxone hydrochloride.

SCHEDULE FOR BASIS: Within one year.

AFFECTED PARTIES: Licensees, general public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 41**: **Sale of Nonprescription Drugs Through Vending Machine Outlets**

STATUTORY BASIS: 32 M.R.S. §§ 13751, 13792(2)

PURPOSE: This chapter sets forth requirements for licensing, management and safe operation of vending machine outlets.

SCHEDULE FOR BASIS: Within one year.

AFFECTED PARTIES: Licensees, general public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 42**: **Compounding Drugs For Veterinary Office Use**

STATUTORY BASIS: 32 M.R.S. §§ 13720, 13723, 13722(1)(B-2)

PURPOSE: This chapter establishes the terms and conditions for compounding drugs for veterinarian office use. In accordance with P.L. 2021 c. 289, section 15, this rule is in consultation with the Maine State Board of Veterinary Medicine.

SCHEDULE FOR BASIS: Within one year.

AFFECTED PARTIES: Licensees, general public

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER AND TITLE: N/A**

STATUTORY BASIS: 32 M.R.S. § 13848

PURPOSE: To adopt rules to establish standards of practice and appropriate restrictions for the various types and forms of telehealth services.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER and Title: N/A**

STATUTORY BASIS: 10 M.R.S. § 8003-H, § 8003-5-A(D)(7)

PURPOSE: The Board may adopt rules to establish a process to issue a license by endorsement or to grant provisional licenses to applicants from other jurisdictions.

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER Number and Title: N/A**

STATUTORY BASIS: P.L. 2025, c. 136

PURPOSE: This chapter establishes the licensure requirements to Allow Retail Pharmacies to Operate Remote Dispensing Sites in Rural Areas

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.