25 April 2018

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1892, “An Act to Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists.”

LD 1892 is an effort to undermine the Maine Board of Pharmacy’s efforts to adopt reasonable rules—grounded in public safety—for when and to whom licensed pharmacists may prescribe and dispense naloxone. The bill effectively negates the need for pharmacy rules on this subject because it would allow pharmacists to prescribe and dispense naloxone without limitation to anyone, anywhere, under any circumstances. This bill makes any reasonable rule unnecessary. Is this sound public policy? The simple answer is no.

No health policy rationale supports the extreme position espoused by the Legislature that every resident of Maine, including children, must have access to naloxone. This bill reflects a lack of understanding about effective ways to reduce deaths resulting from opioid overdose. The Legislature must be under the mistaken impression that deaths from opioid overdose cannot be reduced unless naloxone is provided to anyone and everyone. That will not be the case.

Maine is fortunate, however, to have many licensed pharmacists who will use their experience and professional judgment to determine when and to whom to dispense naloxone. They don’t need the Legislature’s permission to make professional decisions. Licensed pharmacists will do the right thing under the rules promulgated by their oversight body, the Pharmacy Board.

For these reasons, I return LD 1892 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Paul R. LePage
Governor