



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 77

H.P. 60

House of Representatives, January 22, 2013

**An Act To Require Health Care Practitioners To Distribute Free
Samples of Medication in Certain Circumstances**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAUDOIN of Biddeford.
Cosponsored by Representative: BRIGGS of Mexico.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1725** is enacted to read:

3 **§1725. Distribution of free samples of medications**

4 A health care practitioner, as defined in section 1711-C, subsection 1, paragraph F,
5 who is authorized to prescribe medications under Title 32, chapter 117, shall provide free
6 samples of medication to a patient prior to submitting to a pharmacy a prescription for the
7 same medication in order to test the reaction of the patient and the effectiveness in
8 treatment of the disease or condition of the patient if the health care practitioner:

9 **1. Availability.** Has available free samples in the correct dosage for the patient;

10 **2. Appropriateness.** Determines that providing free samples to the patient is
11 appropriate for the patient; and

12 **3. Timeliness.** Determines that providing free samples to the patient will not delay
13 necessary treatment.

14 **SUMMARY**

15 This bill requires health care practitioners to distribute free samples of medication to
16 a patient in order to test the reaction of the patient and the effectiveness in treatment of
17 the patient's disease or condition. The requirement to distribute free samples depends on
18 availability, appropriateness and timeliness.