

HOUSE No. 2072

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing for unused medication return by health care facilities..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2002 Official
2 Edition, is hereby amended by striking out section 25I and inserting in place the following
3 section:

4 Section 25I. The commissioner shall promulgate regulations requiring that either a
5 resident or consultant pharmacist in a health care facility shall return to the pharmacy from
6 which it was purchased all unused medication; provided that such medication is sealed in
7 unopened, individually packaged units and within the recommended period of shelf life, and
8 provided that such medication is not a Schedule I or II controlled substance as defined in Chapter
9 94C. Such pharmacies shall accept all unused medications regardless of whether such
10 medications are included on any list of unit-dose drugs issued by the Office of Medicaid. Any
11 rules and regulations issued by the commissioner shall permit the pharmacy to which such
12 medication is returned to restock and redistribute such medication, and shall be required to
13 reimburse or credit the purchaser for any such returned medication.