

HOUSE No. 4723

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

Resolve providing for an investigation and study by a special commission relative to the provisions of samples of behavioral health medications to individuals under the age of 18 years of age..

1 Resolved, That a special commission is hereby established for the purpose of making an
2 investigation and study of the safety of the provision of samples of prescription behavioral health
3 medications to individuals under 18 years of age.

4 The commission shall consist of the co-chairpersons of the joint committee on mental
5 health and substance abuse, who shall serve as co-chairpersons of the commission; 2 members of
6 the senate, 1 to be appointed by the president of the senate and 1 to be appointed by the minority
7 leader of the senate; 2 members of the house of representatives, 1 to be appointed by the speaker
8 of the house of representatives and 1 to be appointed by the minority leader of the house of
9 representatives; the commissioner of mental health or a designee; the commissioner of public
10 health or a designee; the director of the board of registration in medicine or a designee; the
11 director of the board of registration in pharmacy or a designee; and 5 persons to be appointed by
12 the governor, 1 whom shall be a physician licensed and practicing in the commonwealth, 1 of
13 whom shall be a pharmacist licensed and practicing in the commonwealth, 1 of whom shall be a
14 psychiatrist licensed and practicing in the commonwealth and specializing in diagnosing and

15 treating children and young adults, 1 of whom shall be a psychologist licensed and practicing in
16 the commonwealth and specializing in diagnosing and treating children and young adults, and 1
17 of whom shall be a health policy researcher with experience related to the study of the giving and
18 receiving of sample prescription medication in the commonwealth.

19 The commission shall: (1) solicit information and input from behavioral health and
20 medical care providers, pharmacists, health policy experts, and pharmaceutical manufacturers as
21 needed; (2) determine what information and education is provided to patients under 18 years of
22 age and their parents or legal guardian when the patients are given samples of prescription
23 behavioral health medications by physicians, psychiatrists, clinical nurse specialists, or
24 pharmacists; whether the information is adequate to explain the benefits and potential risks of
25 such medications specific to individuals under 18 years of age who take behavioral health
26 medications; whether the information includes drug interactions; and whether the samples are
27 documented in patients' records; (3) examine the policies and practices of other states, health
28 plans, and medical schools related to the regulation and oversight of the use and distribution of
29 sample prescription medications provided to patients under 18 years of age and their parents or
30 legal guardian.

31 Not later than December 29, 2010, the commission shall report to the general court the
32 results of its investigation and study and its recommendations, if any, together with drafts of
33 legislation necessary to carry its recommendations into effect by filing the same with clerk of the
34 senate and the clerk of the house of representatives who shall forward the same to the joint
35 committee on mental health and substance abuse and the joint committee on public health.