

SENATE No. 2298

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act to ensure the availability of medications in time of an emergency.

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 is hereby amended by inserting after
2 Section 25I the following section:-

3 Section 25J. The department, along with the division of insurance, in order to guarantee
4 the health and safety of citizens dependent up on medication, shall develop and widely publicize
5 a statewide plan for making prescription medications available anytime a state of emergency is
6 declared by the governor. The plan shall include, but not be limited to, provisions for insurance
7 coverage for replacement of prescription medication lost or destroyed during the emergency and
8 prescriptions that have expired; a reasonable substitute will be prescribed and provided at no
9 added cost to the citizen when local pharmacies are unable to meet medication requirements and
10 or until such a time as the original prescription is again made available; the inability to obtain
11 medications due to the breakdown or failure of transportation systems. The department, along
12 with the division of insurance, will also create a safety net system including a toll-free number
13 (Voice and TTY) for citizens to call during the emergency for assistance in locating life-
14 sustaining medications, in the event no medications are available to them locally.