

SENATE No. 2509

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act relative to psychotropic medications.

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 2006 Official
2 Edition, is hereby amended by inserting after section 72Z the following section:-

3 Section 72AA.

4 SECTION 1. Definitions.

5 The following definitions shall apply;

6 “psychotropic medication” is a chemical substance that acts primarily upon the central
7 nervous system where it alters brain function, resulting in temporary changes in perception,
8 mood, consciousness and behavior;

9 SECTION 2. Every resident in a nursing home, rest home, or other long term care facility
10 that is prescribed psychotropic medications, shall have the facility in which they reside first
11 obtain informed consent from the resident, the resident’s health care proxy, or a court appointed
12 Rogers guardian.

13 The prescribing physician shall have a conversation with the resident, health care proxy
14 or court appointed Rogers guardian about the psychotropic at the time of the prescription or at
15 the next visit. The prescribing physician shall document the conversation in the resident's
16 records at the facility.