

SENATE No. 324

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Establishing a Special Commission to Promote Prescription Pharmaceutical Affordability in the Commonwealth..

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. Because rising pharmaceutical costs bear tremendous impact on the
2 affordability of healthcare in the Commonwealth, there shall be a special commission established
3 to study methods through which to reduce the cost of prescription drugs for both public and
4 private payers. The special commission shall be made up of 16 members including the chairs of
5 the joint committee on health care financing; the commissioner of the Group Insurance
6 Commission or her designee; the director of the division of insurance or his designee; the
7 director of the state office of pharmacy services; the secretary of elder affairs or his designee; the
8 director of the Massachusetts Medicaid program; three members designated by the Senate
9 President, one of whom shall be a member of the minority party; three members designated by
10 the Speaker of the House, one of whom shall be a member of the minority party; one member
11 designated by the Massachusetts Association of Health Plans; one member designated by the
12 Massachusetts Hospital Association; and one member designated by Health Care For All. All
13 necessary appointments shall be made within 30 days of the effective date of this act.

14 The special commission shall examine the following: the ability of the commonwealth to
15 enter into bulk purchasing agreements, including agreements that would require the secretary of
16 elder affairs, the commissioner of GIC, the director of the state office of pharmacy services, the
17 commissioners of the departments of public health, mental health, and mental retardation, and
18 any other state agencies involved in the purchase or distribution of prescription pharmaceuticals,
19 to renegotiate current contracts; aggregate purchasing methodologies designed to lower
20 prescription pharmaceutical costs for state and non-state providers; the ability of the
21 commonwealth to operate as a single payer prescription pharmaceutical provider; and the
22 feasibility of creating a program to provide all citizens access to prescription pharmaceuticals at
23 prices negotiated by the commonwealth.

24 The Commission shall report its detailed findings and submit any related
25 recommendations for legislation, programs or funding to the Clerks of the House and Senate
26 within 5 months of the effective date of this act.