

# SENATE . . . . . No. 752

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act requiring the parental notice of the treatment of minors for drug overdoses..

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

1           Whereas, the deferred operation of this act would tend to defeat its purpose, which is  
2   forthwith to require parental notice of a drug overdose of a minor, therefore, it is hereby declared  
3   to be an emergency law, necessary for the immediate preservation of the public convenience.

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

6           SECTION 1. Section 12F of chapter 112 of the General Laws, as appearing in the 2004  
7   Official Edition, is hereby amended by striking out, in lines 37 and 38, the words “minor or a  
8   proper judicial order” and inserting in place thereof the following words:- minor, a proper  
9   judicial order or in case of treatment for a drug overdose, as defined by department of public  
10   health regulation.

11          SECTION 2. Said chapter 112, as so appearing, is hereby further amended by inserting  
12   after section 12F the following section:- Section 12F ½ . Any physician or hospital that treats a  
13   person 17 years of age or younger for a drug overdose, as defined by department of public health

14 regulation, shall notify the minor’s parents or legal guardians of the overdose as part of the  
15 discharge planning process for the minor. The notification shall only be made in a meeting  
16 including the treating clinician and the minor’s parents or guardian. The treating clinician shall  
17 provide the parents or legal guardians with the current contact information for the bureau of  
18 substance abuse services within the department of public health and the substance abuse hotline  
19 operated by the department of public health.

20 SECTION 3. The department of public health will design a pamphlet to be distributed in  
21 emergency rooms to parents or guardians of a person 17 years of age or younger who is treated  
22 for a non-fatal overdose. Said pamphlet shall include, but not be limited to: information on how  
23 treatment can help, information on what a parent can do to prevent future overdoses, and  
24 information on where the patient can go to get treatment.

25 SECTION 4. Within 60 days of the effective date of this act, the department of public  
26 health shall promulgate a regulation defining the words “drug overdose”.

27 SECTION 5. Sections 1, 2, and 3 shall take effect 90 days from passage.