HOUSE DOCKET, NO. 683 FILED ON: 1/14/2013

HOUSE . . . . . No. 2018

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to define modest meals and refreshments in prescriber educational settings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jason M. Lewis	*Fifth Middlesex*
Peter V. Kocot	*1st Hampshire*
Ruth B. Balser	*12th Middlesex*
Lori A. Ehrlich	*8th Essex*
Denise Provost	*27th Middlesex*
Cory Atkins	*14th Middlesex*
Jonathan Hecht	*29th Middlesex*
Patricia D. Jehlen	*Second Middlesex*
Denise Andrews	*2nd Franklin*
Danielle W. Gregoire	*4th Middlesex*
Michael J. Barrett	*Third Middlesex*
Sonia Chang-Diaz	*Second Suffolk*
Benjamin Swan	*11th Hampden*
Carl M. Sciortino, Jr.	*34th Middlesex*

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HOUSE . . . . . No. 2018

By Mr. Lewis of Winchester, a petition (accompanied by bill, House, No. 2018) of Jason M. Lewis and others for legislation to define modest meals and refreshments involving pharmaceutical or medical device manufacturing companies and health care practitioners. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to define modest meals and refreshments in prescriber educational settings.

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

Section 1 of chapter 111N of the General Laws is hereby amended by inserting before the definition of "Person" the following definition:-

"Modest Meals and Refreshments," food and/or drinks provided by or paid for by a pharmaceutical or medical device manufacturing company or agent to a health care practitioner, the cost of which does not exceed the allowance defined by the U.S. General Services Administration for the Massachusetts per diem localities. The allowable amounts for modest meals and refreshments shall be updated on an annual basis in accordance with the U.S. General Services Administration meal allowance rates.

The third paragraph of section 2 of chapter 111N is hereby amended by striking out the following words in clause (6):-

; provided that the department shall define modest meals and refreshments through regulation.

The third paragraph of section 2 of chapter 111N is hereby amended by inserting, after the words "in section 2A", the following sentences:-

For the purposes of this section, presentations that occur in a manner conducive to informational communication shall prohibit the provision of and pharmaceutical or medical device manufacturing company payment for any form of alcoholic beverage. Meals and

refreshments shall be provided within the context of the informational presentation, and shall not occur prior to or following the educational presentation. Presentations shall not occur in locations that are otherwise recreational in nature, including, but not limited to, resorts, sporting clubs, casinos or other vacation destinations.

Section 2A of chapter 111N is hereby amended by inserting, after the clause (3), the following clauses:

(4) total amount spent on meals for such presentation;

(5) total amount spent on the venue for such presentation;

(6) a description of the content of such presentation;

(7) total number of prescriber attendees at such presentation;

(8) names of attendees present at such presentation;

(9) names and credentials of presenters at such presentation; and

(10) total amount spent on other items of economic value provided at such presentation.

Subsection (1) of section 6 of chapter 111N is hereby amended by adding the following sentence:-

The department of public health shall collect receipts for all required reporting expenditures pursuant to this section and section 2A of this chapter.