

SENATE No. 1817

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to prescription drug adverse event reporting.

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 38 of the General Laws is hereby amended by adding the
2 following, which shall constitute section 16 of said chapter:-

3 Section 16. (a) The chief medical examiner shall file an adverse event report with the
4 United States Food and Drug Administration any time the determined cause of death of an
5 individual was due fully or in part to the ingestion of a Schedule II through VI controlled
6 substance. This report shall also be sent to the commissioner of the department of public health.

7 SECTION 2. Section 24A of chapter 94C of the General Laws is hereby amended by
8 adding the following new subsection:-

9 (1) Upon receiving a report of an overdose-related death from the chief medical examiner
10 pursuant to section 16 of chapter 38 of the General Laws, the department shall investigate the
11 prescription monitoring program record of the deceased individual. In the annual report required
12 by subsection (k) of this section, the department shall present information on any trends,
13 including the number and nature of annual referrals to licensing boards, discovered through
14 investigation of the prescription monitoring program records of individuals having suffered a
15 fatal overdose in the preceding year. The department shall refer to the appropriate licensing
16 boards any correlation found between adverse events, and the prescribing practices of individual
17 physicians, physicians assistants, nurse practitioners, dentists, podiatrists or other authorized
18 prescribers, or between adverse events and drug dispensing by particular pharmacies,
19 pharmacists or pharmacy staff.