

HOUSE No. 1988

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 relative to the availability of prescription medication during an emergency.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|----------------------------|-------------------|
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> | <i>1/14/2015</i> |
| <i>William C. Galvin</i> | <i>6th Norfolk</i> | <i>1/30/2015</i> |
| <i>John H. Rogers</i> | <i>12th Norfolk</i> | <i>10/10/2019</i> |
| <i>James E. Timilty</i> | <i>Bristol and Norfolk</i> | <i>10/10/2019</i> |
| <i>Michael J. Moran</i> | <i>18th Suffolk</i> | <i>2/2/2015</i> |
| <i>Edward F. Coppinger</i> | <i>10th Suffolk</i> | <i>10/10/2019</i> |
| <i>Elizabeth A. Poirier</i> | <i>14th Bristol</i> | <i>10/10/2019</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>1/31/2015</i> |
| <i>Walter F. Timilty</i> | <i>7th Norfolk</i> | <i>10/10/2019</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | <i>10/10/2019</i> |
| <i>Claire D. Cronin</i> | <i>11th Plymouth</i> | <i>1/21/2015</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | <i>10/10/2019</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>10/10/2019</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> | <i>10/10/2019</i> |
| <i>James J. Dwyer</i> | <i>30th Middlesex</i> | <i>1/29/2015</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>10/10/2019</i> |
| <i>Colleen M. Garry</i> | <i>36th Middlesex</i> | <i>2/3/2015</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>2/4/2015</i> |

HOUSE No. 1988

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 1988) of Louis L. Kafka and others relative to the availability of prescription medication during an emergency. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4215 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the availability of prescription medication during an emergency.

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. Section 2A of chapter 17 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by inserting after the second paragraph the following
3 paragraph:-

4 The commissioner shall implement the statewide plan for making prescription drugs
5 available during a state of emergency pursuant to section 230 of chapter 111.

6 SECTION 2. Chapter 111 of the General Laws, as so appearing, is hereby amended by
7 inserting the following section:-

8 Section 230. The department shall, in consultation with the board of registration in
9 pharmacy, the division of insurance, the office of Medicaid and the Massachusetts emergency

10 management agency, develop and publicize a statewide plan for ensuring the availability of
11 prescription medications during a state of emergency declared by the governor. The plan shall
12 include, but not be limited to:

13 (a) allowance for early refills of prescriptions, if the current amount that a patient
14 possesses is not expected to last beyond 10 days of the date of the declaration of emergency;
15 provided, however, that a pharmacist shall confirm such prescription with the prescriber before
16 each refill;

17 (b) ensuring that vehicles delivering medications to pharmacies and hospitals be given the
18 same road access available to other emergency vehicles;

19 (c) ensuring that the system does not create a duplicate or redundant supply chain
20 infrastructure;

21 (d) coordination among pharmaceutical manufacturers, wholesalers, distributors,
22 pharmacists and other industry stakeholders; and,

23 (e) creation of a safety net system including a toll-free telephone number and a website
24 for citizens to contact during the emergency for assistance in locating prescription medication, in
25 the event no medications are available to them locally.