

# HOUSE . . . . . No. 2041

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Angelo J. Puppolo, Jr.*

*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 recognizing pharmacists as healthcare providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/13/2015</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>2/1/2015</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/14/2015</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>1/22/2015</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>1/29/2015</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/4/2015</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>2/3/2015</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>2/3/2015</i>
<i>Thomas P. Kennedy</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2015</i>

# HOUSE . . . . . No. 2041

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By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 2041) of Angelo J. Puppolo, Jr., and others for legislation to authorize pharmacists to perform certain medical procedures. Public Health.

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## The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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An Act recognizing pharmacists as healthcare providers.

*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. The definition “Health care provider” in section 1 of chapter 111 of the  
2   General Laws is hereby amended by inserting after the words “registered nurse,” the following  
3   words:- registered pharmacist.

4           SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting, after  
5   section 10G, the following section:-

6           Section 10H. The division shall provide coverage to patients diagnosed with one or more  
7   chronic disease for drug therapy management services by a registered pharmacist acting under a  
8   signed agreement as provided in sections 24B1/2 of chapter 112.

9           SECTION 3. Chapter 32A of the General Laws is hereby amended by inserting, after  
10   section 17K, the following section:-

Section 17L. The commission shall provide coverage to patients diagnosed with one or more chronic disease for drug therapy management services by a registered pharmacist acting under a signed agreement as provided in sections 24B1/2 of chapter 112.

SECTION 4. (a) Subsection (c) of Section 24B1/2 of Chapter 112 of the General Laws is hereby amended by striking out, after the word "physician", the following words:- for asthma, chronic obstructive pulmonary disease, diabetes, hypertension, hyperlipidemia, congestive heart failure, HIV or AIDS, osteoporosis and co-morbidities identified by the supervising physician for the individual patient along with the primary diagnosis.

(b) Section 24B1/2 of Chapter 112 is further amended by inserting at the end of subsection (c) the following sentence:- A pharmacist in the retail setting, who has a collaborative practice agreement with a supervising physician, may administer drugs and biological products that have been ordered by the supervising physician.

SECTION 5. Chapter 94C of the General Laws is hereby amended by inserting, after section 19A, the following section:-

Section 19B. (a) Notwithstanding any other law, a licensed pharmacist may dispense self-administered hormonal contraceptives in accordance with written, standardized procedures or protocols developed by an actively practicing physician registered with the commissioner to distribute or dispense a controlled substance in the course of professional practice pursuant to section 7 if such procedures or protocols are filed at the pharmacist's place of practice and with the board of registration in pharmacy before implementation.

(b) Before dispensing self-administered hormonal contraceptives authorized under this section, a pharmacist shall complete a training program approved by the commissioner, which

shall include but not be limited to proper documentation, quality assurance, and referral to additional services, including appropriate recommendation that the patient follow-up with a medical practitioner.

(c) A pharmacist dispensing self-administered hormonal contraceptives under this section shall annually provide to the department of public health the number of times such self-administered hormonal contraceptives is dispensed. Reports made pursuant to this section shall not identify any individual patient, shall be confidential and shall not be public records as defined by clause twenty-sixth of section 7 of chapter 4.

(d) The department of public health, board of registration in medicine, and board of registration in pharmacy shall adopt regulations to implement this section.

SECTION 6. Chapter 94C of the General Laws is hereby amended by inserting, after section 19B, the following section:-

Section 19C. (a) Notwithstanding any other law, a licensed pharmacist may dispense Nicotine replacement products in accordance with written, standardized procedures or protocols developed by an actively practicing physician registered with the commissioner to distribute or dispense a controlled substance in the course of professional practice pursuant to section 7 if such procedures or protocols are filed at the pharmacist's place of practice and with the board of registration in pharmacy before implementation.

(b) Before dispensing Nicotine replacement products authorized under this section, a pharmacist shall complete a training program approved by the commissioner, which shall include but not be limited to proper documentation, quality assurance, and referral to additional services, including appropriate recommendation that the patient follow-up with a medical practitioner.

55           (c) A pharmacist dispensing Nicotine replacement products under this section shall  
56   annually provide to the department of public health the number of times such Nicotine  
57   replacement products is dispensed. Reports made pursuant to this section shall not identify any  
58   individual patient, shall be confidential and shall not be public records as defined by clause  
59   twenty-sixth of section 7 of chapter 4.

60           (d) The department of public health, board of registration in medicine, and board of  
61   registration in pharmacy shall adopt regulations to implement this section.