

# HOUSE . . . . . No. 2060

---

## The Commonwealth of Massachusetts

---

PRESENTED BY:

***John W. Scibak***

---

*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 safe dispensing of pain management medication.

---

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/13/2015</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>10/11/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>10/11/2019</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>10/11/2019</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>10/11/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>10/11/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>10/11/2019</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>10/11/2019</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>10/11/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>10/11/2019</i>

# HOUSE . . . . . No. 2060

---

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 2060) of John W. Scibak and others relative to the dispensing of controlled substances. Public Health.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2077 OF 2013-2014.]

## The Commonwealth of Massachusetts

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

An Act relative to the safe dispensing of pain management medication.

*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 94C of the General Laws is hereby amended by striking section 23  
2   and inserting in the place thereof the following section:-

3           Section 23. (a) A written prescription for a controlled substance in Schedule II shall  
4   become invalid 90 days after the date of issuance.

5           (b) A written prescription for a controlled substance in Schedule II shall not be refilled  
6   and shall be kept in a separate file.

7           (c) The pharmacist filling a written prescription for a controlled substance in Schedule II  
8   shall endorse his own signature on the face thereof.

(d) In regard to a controlled substance in Schedule II or III, no prescription shall be filled for more than a ninety-day supply of such substance upon any single filling; provided, however, that with regard to dextro amphetamine sulphate and methyl phenidate hydrochloride, a prescription may be filled for up to a sixty-day supply of such substance upon any single filling if said substance is being used for the treatment of minimal brain dysfunction or narcolepsy; provided further, that subject to regulations of the department and the board of pharmacy, prescriptions for implantable infusion pumps consisting of Schedule II or Schedule III controlled substances may be filled for a maximum of 90 days.

(e) All prescriptions for controlled substances shall be kept for two years by the pharmacy and shall be subject to inspection pursuant to the provisions of this chapter.

(f) No prescription for a controlled substance shall be refilled unless the original prescription provides for such refilling and unless the number of refills has been specified in said prescription.

(g) Unless otherwise prohibited by law, a prescription shall be: (1) written in ink, indelible pencil or by other means; or (2) transmitted electronically; and (3) signed by the prescriber. A prescription may be transmitted electronically with the electronic signature and electronic instructions of the prescriber, and shall be transmitted directly from the prescriber to the pharmacy designated by the patient without alteration of the prescription information, except that third-party intermediaries may act as conduits to route the prescription from the prescriber to the pharmacy.

(h) Clinic pharmacies operated by a health maintenance organization licensed under chapter one hundred and seventy-six G and licensed pursuant to section fifty-one of chapter one

31    hundred and eleven may refill prescriptions which have been previously dispensed by another  
32    health maintenance organization clinic pharmacy, provided that prior to dispensing a refill, the  
33    pharmacy refilling the prescription verifies the appropriateness of the refill through a centralized  
34    database.