

SENATE No. 1219

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 requiring disclosure of financial incentives to prescribe or dispense certain drugs.

PETITION OF:

NAME:

Karen E. Spilka

DISTRICT/ADDRESS:

Second Middlesex and Norfolk

SENATE No. 1219

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1219) of Karen E. Spilka for legislation to require disclosure of financial incentives to prescribe or dispense certain drugs. Public Health.

The Commonwealth of Massachusetts

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

An Act requiring disclosure of financial incentives to prescribe or dispense certain drugs.

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 12D of Chapter 112 of the General Laws is hereby amended by
2 inserting after “prescription”, in line 13, the following sentence: -

3 If any natural person or entity, including, without limitation, a carrier or third party
4 administrator, including a pharmacy benefits manager, provides or offers to provide any financial
5 inducement or reward to a practitioner who switches to a therapeutically equivalent drug in place
6 of a drug prescribed by the practitioner, the prescriber shall disclose that fact to the patient.

7 SECTION 2. Section 12D of Chapter 112 of the General Laws is hereby amended by
8 inserting after “thereof”, in line 23, the following sentence: -

9 If any natural person or entity, including, without limitation, a carrier or third party
10 administrator, including a pharmacy benefits manager, provides or offers to provide any financial
11 inducement or reward to a pharmacist to dispense a therapeutically equivalent drug in place of a

- 12 drug prescribed by a practitioner, the pharmacist shall disclose that fact to the prescribing
- 13 practitioner and the person who presents the prescription.