

HOUSE No. 1177

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 providing for unused medication return by health care facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/19/2017</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/20/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/24/2017</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	<i>2/1/2017</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/1/2017</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/30/2017</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>2/2/2017</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>2/1/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2017</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/3/2017</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>2/1/2017</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/30/2017</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	

HOUSE No. 1177

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 1177) of Louis L. Kafka and others that the Commissioner of the Department of Public Health be directed to establish regulations for the return to pharmacies of certain unused medication by health care facilities. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1986 OF 2015-2016.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court
(2017-2018)**
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An Act providing for unused medication return by health care facilities.

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 111 of the General Laws, as appearing in the 2002 Official
2 Edition, is hereby amended by striking out section 25I and inserting in place the following
3 section:

4 Section 25I. The commissioner shall promulgate regulations requiring that either a
5 resident or consultant pharmacist in a health care facility shall return to the pharmacy from
6 which it was purchased all unused medication; provided that such medication is sealed in
7 unopened, individually packaged units and within the recommended period of shelf life, and
8 provided that such medication is not a Schedule I or II controlled substance as defined in Chapter
9 94C. Such pharmacies shall accept all unused medications regardless of whether such

10 medications are included on any list of unit-dose drugs issued by the Office of Medicaid. Any
11 rules and regulations issued by the commissioner shall permit the pharmacy to which such
12 medication is returned to restock and redistribute such medication, and shall be required to
13 reimburse or credit the purchaser for any such returned medication.