

SENATE No. 1240

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>1/27/2017</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	<i>2/2/2017</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/3/2017</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/3/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/3/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/6/2017</i>

SENATE No. 1240

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1240) of Michael O. Moore, Barbara A. L'Italien, Robert M. Koczera, Colleen M. Garry and other members of the General Court for legislation to authorize pharmacists to perform certain medical procedures. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2041 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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:-

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

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

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

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

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

31 (b) Before dispensing self-administered hormonal contraceptives authorized under this
32 section, a pharmacist shall complete a training program approved by the commissioner, which
33 shall include but not be limited to proper documentation, quality assurance, and referral to
34 additional services, including appropriate recommendation that the patient follow-up with a
35 medical practitioner.

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

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

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

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

51 (b) Before dispensing Nicotine replacement products authorized under this section, a
52 pharmacist shall complete a training program approved by the commissioner, which shall include

53 but not be limited to proper documentation, quality assurance, and referral to additional services,
54 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.