

SENATE No. 634

The Commonwealth of Massachusetts

PRESENTED BY:

Eric P. Lesser

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 to establish a state Epinephrine bulk purchase program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>9/22/2017</i>

SENATE No. 634

By Mr. Lesser, a petition (accompanied by bill, Senate, No. 634) of Eric P. Lesser, Brian M. Ashe, James B. Eldridge, Marjorie C. Decker and other members of the General Court for legislation to establish a state Epinephrine bulk purchase program. Health Care Financing.

The Commonwealth of Massachusetts

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

An Act to establish a state Epinephrine bulk purchase program.

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 29 of the General Laws, as appearing in the 2014 Official Edition,
2 is hereby amended by inserting after section 2VVVV the following section:-

3 Section 2WWW. (a) There shall be a Municipal Epinephrine Bulk Purchase Trust
4 Fund to be administered and expended by the commissioner of public health or a designee for the
5 municipal epinephrine bulk purchase program. Municipalities may join the program to purchase
6 epinephrine for municipal first responder agencies and elementary and secondary schools located
7 within the district. The state office of pharmacy services shall assist with the purchasing and
8 distribution of epinephrine on behalf of the program. The department of public health shall
9 provide technical assistance to participating municipalities to ensure that municipalities complete
10 all training and registration requirements.

11 (b) The fund shall consist of: (i) payments made by participating municipalities for
12 the purchase of epinephrine; (ii) revenue from appropriations or other monies authorized by the

13 general court and specifically designated to be credited to the fund; and (iii) funds from public or
14 private sources, including, but not limited to, gifts, grants, donations, rebates and settlements
15 received by the commonwealth that are specifically designated to be credited to the fund. Funds
16 received under clauses (ii) or (iii) shall be apportioned in a manner determined by the department
17 and shall be applied to provide price reductions for municipalities purchasing epinephrine
18 through the program. Amounts credited to the fund shall not be subject to further appropriation
19 and monies remaining in the fund at the end of a fiscal year shall not revert to the General Fund.
20 The commissioner shall report annually not later than October 1 to the house and senate
21 committees on ways and means on the fund's activity. The report shall include, but not be
22 limited to, revenue received by the fund, revenue and expenditure projections for the
23 forthcoming fiscal year and details of all expenditures from the fund, the municipalities
24 participating in the program, the amount of epinephrine purchased by each municipality and the
25 discount procured through bulk purchasing.

26 SECTION 2. The department of public health may promulgate regulations or guidelines
27 to implement the municipal epinephrine bulk purchase program established pursuant to section
28 2WWW of chapter 29 of the General Laws, as appearing in section 1 above.