HOUSE DOCKET, NO. 1813 FILED ON: 1/17/2019

HOUSE . . . . . No. 1713

The Commonwealth of Massachusetts

PRESENTED BY:

Carole A. Fiola

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 practitioners to assess and inform patients prior to prescribing certain opioid medications.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Carole A. Fiola	*6th Bristol*	*1/17/2019*
Linda Dean Campbell	*15th Essex*	*1/31/2019*
Tricia Farley-Bouvier	*3rd Berkshire*	*1/31/2019*
James K. Hawkins	*2nd Bristol*	*2/2/2019*
Paul A. Schmid, III	*8th Bristol*	*1/18/2019*
Alan Silvia	*7th Bristol*	*1/19/2019*

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By Ms. Fiola of Fall River, a petition (accompanied by bill, House, No. 1713) of Carole A. Fiola and others relative to requiring practitioners to assess and inform patients prior to prescribing certain opioid medications. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act requiring practitioners to assess and inform patients prior to prescribing certain opioid medications.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 18A of chapter 94C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) Prior to issuing an extended-release long-acting opioid in a non-abuse deterrent form for outpatient use for the first time, a practitioner registered under section 7 shall: (i) evaluate the patient's current condition, risk factors, history of mental health or substance use disorder, if any, and whether the patient has taken or is currently taking medications to treat any such disorders; (ii) discuss with the patient and, if the patient is a minor, the patient’s parent or legal guardian, the risks of addiction and overdose associated with the medication and the risk of concurrent use of alcohol or other central nervous system depressants; (iii) inform the patient and, if the patient is a minor, the patient’s parent or legal guardian, and note in the patient's medical record that the prescribed medication, in the prescriber's medical opinion, is an appropriate course of treatment

based on the medical need of the patient; and (iv) obtain the patient's written informed consent and, if the patient is a minor, the written informed consent of the patient's parent or legal guardian, on a consent form established by the department which shall indicate that the practitioner consulted with and informed the patient and, where applicable, the patient's parent or legal guardian, as required by this section.