

HOUSE No. 1983

The Commonwealth of Massachusetts

PRESENTED BY:

Smitty Pignatelli

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 protecting public health from improperly disposed hypodermic needles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/18/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/28/2019</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>1/28/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/30/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>

HOUSE No. 1983

By Mr. Pignatelli of Lee, a petition (accompanied by bill, House, No. 1983) of Smitty Pignatelli and others relative to protecting the public health from improperly disposed of hypodermic needles. Public Health.

The Commonwealth of Massachusetts

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

An Act protecting public health from improperly disposed hypodermic needles.

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 94C of the General Laws is hereby amended by inserting after
2 section 7A the following section:-

3 Section 7B. No hypodermic needle for the administration of controlled substances by
4 injection shall be provided by a needle exchange program to an individual for such purpose,
5 unless the needle is affixed to a non-reusable hypodermic syringe and has an automatic
6 protective device, which may include retractable needle technology, to reduce injury to others
7 from an exposed hypodermic needle that was disposed of improperly.

8 A needle exchange program shall comply with any prescribed standards and regulations
9 for needle safety to be issued by the department, which may include reasonable exceptions and
10 enforcement provisions as the commissioner shall determine.

11 Notwithstanding, the prohibitions of this act shall not apply to the transfer of hypodermic
12 needles to any public health official, licensed medical professional or pharmacist, and to any

13 qualified individual involved with the disposal of used or contaminated hypodermic needles that
14 are collected by a needle exchange program.

15 For the purposes of this section, the term “needle exchange program” shall mean any
16 public or private program for participating individuals to exchange, access or obtain, at no
17 monetary cost, sterile hypodermic needles for their administration of controlled substances by
18 injection, but shall not include pharmacists or wholesale druggists that sell hypodermic needles
19 and hypodermic syringes to individuals pursuant to section 27 of chapter 94C.

20 SECTION 2. The commissioner of public health shall adopt needle safety standards and
21 emergency regulations necessary to implement section 1 to preserve the public health, within 4
22 months from the passage of this act; and within 3 months from adopting said regulations, the
23 commissioner shall complete the administrative process to adopt permanent regulations with any
24 necessary changes.

25 SECTION 3. Section 1 shall take effect in 6 months from the passage of this act.