

HOUSE No. 4641

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 16, 2020.

The committee on Public Health, to whom was referred the petition (accompanied by bill, House, No. 1931) of Louis L. Kafka and others relative to the availability of prescription medication during an emergency, reports recommending that the accompanying bill (House, No. 4641) ought to pass.

For the committee,

JOHN J. MAHONEY.

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

An Act relative to the availability of prescription medication during an emergency.

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

1 Chapter 111 of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by adding the following section:-

3 Section 236. (a) The department shall, in consultation with the board of registration in
4 pharmacy, the division of insurance, the office of Medicaid and the Massachusetts emergency
5 management agency, develop and publicize a statewide plan for ensuring the availability of
6 prescription medications during a state of emergency declared by the governor. The plan shall:

7 (1) allow for early refills of prescriptions, if the current amount that a patient possesses is
8 not expected to last beyond 10 days of the date of the declaration of emergency or beyond any
9 quarantine period to which the patient is subject; provided, however, that a pharmacist shall
10 confirm such prescription with the prescriber before each refill;

11 (2) provide a toll-free telephone number and a website for persons to contact during the
12 emergency for assistance in locating prescription medication, in the event no medications are
13 available to them locally; and

14 (3) provide for such other actions as the department shall determine necessary to ensure
15 availability of prescription medications during a state of emergency.

16 (b) If the governor declares a state of emergency pursuant to section 2A, chapter 639 of
17 the acts of 1950, or any other applicable law, the commissioner shall implement the statewide
18 plan for ensuring the availability of prescription medications for the duration of the state of
19 emergency.