

SENATE No. 1328

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 ensure safe medication administration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/31/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/31/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/5/2019</i>

SENATE No. 1328

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 1328) of Marc R. Pacheco, Patrick M. O'Connor, David Henry Argosky LeBoeuf, Mary S. Keefe and other members of the General Court for legislation to ensure safe medication administration. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1259 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act to ensure safe medication administration.

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. Section 7 of Chapter 94C of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after subsection (h), the following new
3 subsection:-

4 (i) Notwithstanding any general or special law to the contrary, only a dentist, nurse,
5 physician, podiatrist, perfusionist, optometrist or veterinarian licensed as a professional by
6 Chapter 112 of the General Laws, or any student enrolled in a course of study for said profession
7 acting under the supervision of said licensed person and in accordance with the General Laws,
8 may administer any controlled substance in schedule II, III , IV, V or VI of Section 3 of chapter
9 94C of the General Laws. This shall not be construed to prohibit the following: (1) self-
10 administration (2) administration of epinephrine pens in an emergency; (3) administration of

11 controlled substances by emergency medical system personnel or (4) administration of controlled
12 substances by any ill, injured or infirm person's domestic partner or family member(s). For the
13 purposes of this section, "self-administration" shall include the ability of any ill, injured or infirm
14 person who has sufficient understanding of their prescribed controlled substance(s); the
15 indications and contraindications for such controlled substance(s); a recollection of the
16 administration schedule for such controlled substance(s) and an ability to communicate this
17 knowledge and the experienced effect of having taken a controlled substance, to supervise an
18 unlicensed person in the direct administration of such controlled substance(s) to them.