

SENATE No. 1330

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 support access, value and equity in health care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/24/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>1/24/2019</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/24/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/24/2019</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/25/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/28/2019</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>1/29/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/29/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/29/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/29/2019</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/30/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>1/30/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/31/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/31/2019</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>1/31/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/1/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>2/4/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/12/2019</i>

<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/13/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/14/2019</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/15/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/21/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>4/12/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>10/21/2019</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>1/15/2020</i>

SENATE No. 1330

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 1330) of Marc R. Pacheco, Angelo J. Puppolo, Jr., Diana DiZoglio, William L. Crocker, Jr. and other members of the General Court for legislation to support access, value and equity in health care. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1257 OF 2017-2018.]

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

An Act to support access, value and equity in health care.

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 1 of chapter 94C of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the definition for Marihuana the following
3 definition:-

4 Medication Order, an order entered on a patient's medical record maintained at a hospital,
5 other health facility, or ambulatory health care setting registered under this chapter and that is
6 dispensed only for immediate administration at the facility to the ultimate user by an individual
7 who under chapter 94C administers such medication.

8 SECTION 2. The definition of Practitioner, in said section 1 of said chapter 94C, as so
9 appearing, is hereby amended by adding the following subsection:-

10 (d) A nurse practitioner authorized by section 80E of chapter 112 and registered pursuant
11 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in
12 teaching or chemical analysis, a controlled substance in the course of professional practice or
13 research in the commonwealth.

14 SECTION 3. Section 7 of said chapter 94C, as so appearing, is hereby amended in
15 subsection (f) by adding in lines 121, 124 and 125 after the word podiatrist, the following words:
16 - nurse practitioner

17 SECTION 4. Said section 7 of said chapter 94C, as so appearing, is hereby further
18 amended in subsection (g) by striking out in line 137 the words: nurse practitioners and for

19 SECTION 5. Said subsection (g) of section 7 of said chapter 94C, as so appearing, is
20 hereby further amended by striking out in line 147 the words: nurse practitioners and

21 SECTION 6. Section 9 of said chapter 94C, as so appearing, is hereby amended in
22 subsection (a) by inserting in line 1 after the word podiatrist, the following words:- nurse
23 practitioner,

24 SECTION 7. Said subsection (a) of section 9 of said chapter 94C, as so appearing, is
25 hereby further amended in line 3 by striking out the words “nurse practitioner and”

26 SECTION 8. Said section 9 of said chapter 94C, as so appearing, is hereby further
27 amended in subsection (b) by inserting in line 29 after the words “nurse-midwifery,” the
28 following words:- advanced practice nursing

29 SECTION 9. Section 18 of said chapter 94C, as so appearing, is hereby amended in lines
30 10, 27, 54 and 55 by adding after the words “to practice medicine’ the following words:- or
31 advanced practice nursing

32 SECTION 10. Said section 18 of chapter 94C, as so appearing, is hereby further amended
33 in line 25, 34 and 35 by adding after the words “physician” the following words:- or nurse
34 practitioner

35 SECTION 11. Said section 18 of chapter 94C, as so appearing, is hereby further amended
36 by striking out, in lines 38 and 39, the words “a physician who is licensed to practice medicine”
37 and by inserting in place thereof the following words:- a practitioner who is licensed to practice
38 medicine or advanced practice nursing

39 SECTION 12. Said section 80B of chapter 112, as so appearing, is hereby further
40 amended in the seventh paragraph by adding the following sentence:- Notwithstanding
41 provisions in this section to the contrary, the board shall promulgate regulations independent of
42 the board of registration in medicine which govern the provision of nurse practitioner services
43 and related care, including, but not limited to, the ordering and interpreting of tests, the ordering
44 and evaluation of treatment and therapeutics and any registration as a practitioner, under chapter
45 94C

46 SECTION 13. Section 80E of chapter 112, as so appearing, is hereby amended by
47 striking out in lines 1, 7 and 8 the following words:- nurse practitioner or

48 SECTION 14. Said section 80E of chapter 112, as so appearing, is hereby further
49 amended by adding the following sentence:- Pursuant to section 80B, a nurse practitioner may be
50 registered to distribute, dispense, conduct research with respect to, or use in teaching or chemical

51 analysis, a controlled substance in the course of professional practice or research in the
52 commonwealth in accordance with regulations promulgated by the board of registration in
53 nursing after consultation with the commissioner of public health.

54 SECTION 15. Section 80I of chapter 112 of the General Laws inserted by section 113 of
55 chapter 224 of the acts of 2012 is hereby amended by striking out the second and third sentences.

56 SECTION 16. Section 3 of chapter 176R of the General Laws, as so appearing, is hereby
57 amended by striking out said section in its entirety and inserting in place thereof the following:—

58 Section 3. A participating provider nurse practitioner practicing within the scope of his
59 license shall be considered qualified within the carrier's definition of primary care provider to an
60 insured.

61 SECTION 17. The department of public health and the board of registration in nursing
62 shall promulgate regulations under sections 80B, 80E and 80I of chapter 112 and sections 1, 7,9
63 and 18 of chapter 94C of the General Laws by December 31, 2020.