

HOUSE No. 1132**The Commonwealth of Massachusetts**

PRESENTED BY:

Hannah Kane and Jack Patrick Lewis*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 relative to emergency insulin access.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/17/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/17/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/17/2021</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/17/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/18/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/18/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/18/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/22/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/22/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/23/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/23/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/24/2021</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/26/2021</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>2/26/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/26/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/26/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>3/10/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/14/2021</i>

<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/15/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>6/1/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>12/10/2021</i>

HOUSE No. 1132

By Representatives Kane of Shrewsbury and Lewis of Framingham, a petition (accompanied by bill, House, No. 1132) of Hannah Kane, Jack Patrick Lewis and others relative to emergency insulin access. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to emergency insulin access.

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 17G of chapter 32A of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the word "items" the third time it appears,
3 the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section
4 12D½ of chapter 112.

5 SECTION 2. Chapter 112 of the General Laws, as so appearing, is hereby amended by
6 inserting after section 12D the following new section:-

7 Section 12D ½ (a) For the purposes of this section, the following terms shall have the
8 following meanings unless the context clearly requires otherwise:

9 "Emergency situation", an event in which authorization for the dispensing of insulin may
10 not be readily obtained from the practitioner.

“Pharmacist’s professional judgment”, the judgment of a pharmacist as to whether the substance to be dispensed is essential to sustain the life of the patient or continue therapy for a chronic condition of the patient, and whether failure to dispense or sell the drug to the patient could result in harm to the health of the patient.

(b) Notwithstanding any general or special law to the contrary, in an emergency situation, a pharmacist may dispense a supply of insulin. The supply dispensed may not exceed a 30-day supply as provided in the prescription or, if the standard unit of dispensing for the drug exceeds a 30-day supply, the amount of the drug dispensed or sold does not exceed the standard unit of dispensing. The pharmacist shall exercise professional judgment in determining the amount of the drug to be dispensed or sold.

(c) A pharmacist shall not dispense or sell a particular drug to the same patient in an amount described in subsection (b) more than once in any 6-month period.

(d) The commissioner of public health shall promulgate rules and regulations necessary for the implementation of this section.

SECTION 3. Section 10C of chapter 118E of the General Laws, as so appearing, is hereby amended by inserting after the word "items" the third time it appears, the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section 12D½ of chapter 112.

SECTION 4. Section 47N of chapter 175 of the General Laws, as so appearing, is hereby amended by inserting after the word "items" the third time it appears, the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section 12D½ of chapter 112.

SECTION 5. Section 8P of chapter 176A of the General Laws, as so appearing, is hereby amended by inserting after the word "items" the third time it appears, the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section 12D½ of chapter 112.

SECTION 6. Section 4S of chapter 176B of the General Laws, as so appearing, is hereby amended by inserting after the word "items" the third time it appears, the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section 12D½ of chapter 112.

SECTION 7. Section 4H of chapter 176G of the General Laws, as so appearing, is hereby amended by inserting after the word "items" the third time it appears, the following:- or if dispensed by a pharmacist in an emergency situation pursuant to section 12D½ of chapter 112.