HOUSE DOCKET, NO. 2155 FILED ON: 2/16/2021

HOUSE . . . . . No. 2235

The Commonwealth of Massachusetts

PRESENTED BY:

Nicholas A. Boldyga

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 improve patient access to prescription medication.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Nicholas A. Boldyga	*3rd Hampden*	*2/16/2021*
Jacob R. Oliveira	*7th Hampden*	*5/25/2021*
Jeffrey N. Roy	*10th Norfolk*	*5/26/2021*
Mathew J. Muratore	*1st Plymouth*	*5/26/2021*
Adam J. Scanlon	*14th Bristol*	*5/27/2021*
Michael J. Soter	*8th Worcester*	*5/27/2021*

HOUSE DOCKET, NO. 2155 FILED ON: 2/16/2021

HOUSE . . . . . No. 2235

By Mr. Boldyga of Southwick, a petition (accompanied by bill, House, No. 2235) of Nicholas A. Boldyga relative to administering and dispensing controlled substances by certain practitioners. Public Health.

The Commonwealth of Massachusetts

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

An Act to improve patient access to prescription medication.

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

SECTION 1: Section 9 of Chapter 94C of the General Laws is hereby amended by striking out subsection (b), as so appearing, and inserting in place thereof the following:

(b) Notwithstanding section 17, a practitioner registered under section 7 may, in the good faith exercise of the practitioner's clinical judgment, dispense by delivering to an ultimate user:

(1) Any prescription medication not regulated under this chapter;

(2) Any prescription medication classified by the department as schedule VI subject to such regulations as to safe storage, labeling, and recordkeeping as the department may adopt;

(3) Any prescription medication classified by the department as schedule II–V subject to such regulations as to safe storage, labeling, recordkeeping, dosage, and quantity as the department may adopt.

Before dispensing a prescription medication under this section, a practitioner must inform the ultimate user of their right to purchase the medication from any other practitioner registered under section 7.

This section shall not be construed to restrict a practitioner from dispensing any prescription medication necessary to respond to a medical emergency.