

HOUSE No. 437

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry and Paul R. Feeney

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 a specialty pharmacy pilot program for Urology.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/18/2021</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>2/18/2021</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>3/18/2021</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>3/22/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>4/12/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>4/26/2021</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>6/2/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>6/2/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>6/21/2021</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>11/1/2021</i>

HOUSE No. 437

By Representative McMurtry of Dedham and Senator Feeney, a joint petition (accompanied by bill, House, No. 437) of Paul McMurtry, Paul R. Feeney and others relative to a specialty pharmacy pilot program for urology. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act relative to a specialty pharmacy pilot program for Urology.

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

1 Notwithstanding chapter 112 of the General Laws or any other general or special law to
2 the contrary, may operate a pilot program limited-purpose to allow a specialty practice pharmacy
3 within their specialty practice location, which shall be limited to the scope of the practice;
4 provided, that a privately owned Urology practice with more than five doctors and three office
5 locations in Massachusetts shall submit an application to the board of registration of pharmacy
6 for a certificate to operate such specialty practice pharmacy pursuant to this act. The pilot
7 program will be limited to the first ten applications that meet the application standards and will
8 participate in the four year pilot. The applications accepted shall include the name of the
9 pharmacy technician and pharmacist employed by the Urology to operate the pharmacy; the
10 location of the specialty practice pharmacy; and the scope of the operation of the pharmacy,
11 which shall be limited to the scope of the practice. The pilot program pharmacy will only
12 dispense the following pharmaceuticals pertaining to Urology and will not be permitted to
13 dispense opioids; Erleada 60mg, Xtandi 40mg, Yonsa 125mg, Zytiga 250mg, Abiraterone

14 250mg, Prednisone, Sildenafil 20mg, Provenge, Xofiga. In the course of the pilot program, new
15 pharmaceuticals will come to the market place and will be added to the list.

16

17 The board of registration of pharmacy, in consultation with the department of public
18 health, shall promulgate guidelines for the purpose of carrying out this act, and shall determine
19 which regulations applicable to a retail drug business under section 39 of chapter 112 of the
20 General Laws shall apply to a specialty practice pharmacy operated pursuant to this act;
21 provided, that such specialty practice pharmacy shall employ at least 1 pharmacy technician and
22 1 supervising pharmacist who shall oversee the operation of the specialty practice pharmacy and
23 review the operation in person at least once per week.

24

25 The board shall, within 150 days of receipt of the Urology's application pursuant to this
26 act, render a final decision denying or granting a certificate to operate. The board shall grant a
27 Urology practice a certificate to operate a specialty practice pharmacy pursuant to this act if,
28 upon receipt of the application, the board finds that: (i) the granting of such certificate would be
29 consistent with the best interests of the public health, welfare or safety; and (ii) the Urology
30 practice is in compliance with the requirements of this section and the applicable regulations as
31 determined by the board. At the end of the four year pilot program, Department of Public Health
32 and the Board of Pharmacy will submit a report to both the Senate and House Clerks on the
33 merits of the pilot program and a recommendation to continue the pilot program for four
34 additional years.