SENATE DOCKET, NO. 1709 FILED ON: 2/18/2021

SENATE . . . . . No. 1259

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph A. Boncore

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 medication assisted recovery and care (MARC).

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joseph A. Boncore	*First Suffolk and Middlesex*	
Jessica Ann Giannino	*16th Suffolk*	*2/26/2021*
Jeffrey Rosario Turco	*19th Suffolk*	*4/12/2021*

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SENATE . . . . . No. 1259

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 1259) of Joseph A. Boncore, Jessica Ann Giannino and Jeffrey Rosario Turco for legislation relative to medication assisted recovery and care (MARC). Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

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

An Act relative to medication assisted recovery and care (MARC).

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 6A of chapter 94C, as so appearing in the general laws, is hereby amended by inserting the following paragraphs:-

In using best practice guidance, the department shall adopt federal opioid treatment standards in 42 CFR § 8.12 in the following areas:

(a) Opioid treatment programs must provide adequate testing or analysis for drugs of use, including not less than eight random drug tests per year, per patient in maintenance treatment, in accordance with generally accepted clinical practice. For patients in short-term detoxification treatment, the opioid treatment program shall perform at least one initial drug test. For patients receiving long-term detoxification treatment, the program shall perform initial and monthly random tests on each patient.

(b) Random drug testing for patients in long-term detoxification treatment described in subsection (a) of this section shall not include THC testing. THC testing shall only be

permissible during the initial drug test for patients in both short-term and long-term detoxification treatment.

(c) Any patient in comprehensive maintenance treatment may receive a single take-home dose for a day that the clinic is closed for business, including Sundays and State and Federal holidays.

(d) Unsupervised or “take-home” use.

i. During the first 90 days of treatment, the take-home supply, beyond that of subsection (c) of this section, is limited to a single dose each week and the patient shall ingest all other doses under appropriate supervision as provided for under the regulations in this subpart.

ii. In the second 90 days of treatment, the take-home supply, beyond that of subsection (c) of this section, are two doses per week.

iii. In the third 90 days of treatment, the take-home supply, beyond that of subsection (c) of this section, are three doses per week.

iv. In the remaining months of the first year, a patient may be given a maximum 6-day supply of take-home medication.

v. After 1 year of continuous treatment, a patient may be given a maximum 2-week supply of take-home medication.

vi. After 2 years of continuous treatment, a patient may be given a maximum one-month supply of take-home medication, but must make monthly visits.