SENATE DOCKET, NO. 1375 FILED ON: 2/16/2021

SENATE . . . . . No. 1516

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 prohibiting the sale of dextromethorphan to minors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Rebecca L. Rausch	*Norfolk, Bristol and Middlesex*

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SENATE . . . . . No. 1516

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1516) of Rebecca L. Rausch for legislation to prohibit the sale of dextromethorphan to minors. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1333* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act prohibiting the sale of dextromethorphan to minors.

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

Chapter 94C of the General Laws is hereby amended by inserting after section 27A the following section:-

Section 27B. (a)(1) It shall be unlawful to sell a nonprescription material, compound, mixture or preparation containing any detectable quantity of dextromethorphan, its salts or optical isomers, or salts of optical isomers to any person under the age of 18.

(2) It shall be unlawful for any person under the age of 18 to purchase or attempt to purchase a nonprescription material, compound, mixture or preparation containing any detectable quantity of dextromethorphan, its salts or optical isomers, or salts of optical isomers.

(3) A nonprescription material, compound, mixture or preparation containing any detectable quantity of dextromethorphan, its salts or optical isomers, or salts of optical isomers

shall not be sold unless the purchaser presents photo identification that validates the individual's age. Valid identification shall include a valid, current form of photo identification issued by a federal, state, county or municipal government, or subdivision or agency thereof, including but not limited to a motor vehicle operator's license, a Massachusetts state identification card, an identification card issued to a member of the Armed Forces or a passport.

(4) The Bureau of Health Care Safety and Quality shall promulgate regulations to enforce this subsection. The regulations may include the imposition of civil fines and training related to the danger of dextromethorphan to minors.

(b) This section shall not apply to a compound, mixture or preparation containing any detectable quantity of dextromethorphan which is dispensed pursuant to a valid prescription from a licensed practitioner with prescriptive authority.

(c) Any pharmacy or retail provider that sells products containing dextromethorphan shall keep an inventory of such products and may limit consumers to certain quantities.

(d) The department of public health, board of registration in medicine and board of registration in pharmacy may adopt regulations to implement this section.