

SENATE No. 1272

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 non-opioid alternatives in pain treatment.

PETITION OF:

NAME:

Walter F. Timilty

DISTRICT/ADDRESS:

Norfolk, Plymouth and Bristol

SENATE No. 1272

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1272) of Walter F. Timilty for legislation relative to non-opioid alternatives in pain treatment. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to non-opioid alternatives in pain treatment.

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. Notwithstanding any general or special law to the contrary, The
2 Massachusetts Department of Public Health shall develop and publish on its website an
3 educational pamphlet regarding the use of non-opioid alternatives for the treatment of pain. The
4 pamphlet shall include, but not be limited to, (i) information on available nonopioid alternatives
5 for the treatment of pain, including non-opioid medicinal drugs or drug products and non-
6 pharmacological therapies, (ii) the advantages and disadvantages of the use of non-opioid
7 alternatives.

8 SECTION 2. Except when a patient is receiving care in a hospital critical care unit or
9 emergency department or a patient is receiving hospice services under Part I, Title XVI, Chapter
10 111, Section 227 of Massachusetts General Law, before providing care requiring the
11 administration of anesthesia involving the use of an opioid drug listed as a Schedule II controlled
12 substance in s. 893.03 or 21 U.S.C. s. 812, or prescribing or ordering an opioid drug listed as a

13 Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of pain, a
14 health care practitioner who prescribes or orders an opioid drug shall (i) inform the patient or the
15 patient's representative of available nonopioid alternatives for the treatment of pain, which may
16 include non-opioid medicinal drugs or drug products, interventional procedures or treatments,
17 acupuncture, chiropractic treatments, massage therapy, physical therapy, occupational therapy, or
18 any other appropriate therapy as determined by the health care practitioner, (ii) discuss with the
19 patient or the patient's representative the advantages and disadvantages of the use of non-opioid
20 alternatives, including whether the patient is at a high risk of, or has a history of, controlled
21 substance abuse or misuse and the patient's personal preferences, (iii) provide the patient or the
22 patient's representative with a printed copy of the educational pamphlet described in section 1,
23 (iv) document the non-opioid alternatives considered in the patient's record.