

SENATE No. 1452

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 ensure safe medication administration.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------|-----------------------------------|------------------|
| <i>Marc R. Pacheco</i> | <i>Third Bristol and Plymouth</i> | |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>1/30/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/21/2023</i> |
| <i>Carol A. Doherty</i> | <i>3rd Bristol</i> | <i>3/23/2023</i> |
| <i>Pavel M. Payano</i> | <i>First Essex</i> | <i>1/31/2024</i> |

SENATE No. 1452

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 1452) of Marc R. Pacheco, Jack Patrick Lewis and James B. Eldridge for legislation to ensure safe medication administration. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1511 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to ensure safe medication administration.

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 7 of chapter 94C of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by inserting after subsection (h), the following new subsection:-

3 (i) Notwithstanding any general or special law to the contrary, only a dentist, nurse,
4 physician, podiatrist, perfusionist, optometrist or veterinarian licensed as a professional by
5 chapter 112 of the General Laws, or any student enrolled in a course of study for said profession
6 acting under the supervision of said licensed person and in accordance with the General Laws,
7 may administer any controlled substance in schedule II, III , IV, V or VI of Section 3 of chapter
8 94C of the General Laws. This shall not be construed to prohibit the following:

9 (1) self-administration

- 10 (2) administration of epinephrine pens in an emergency;
- 11 (3) administration of controlled substances by emergency medical system personnel or
- 12 (4) administration of controlled substances by any ill, injured or infirm person's domestic
- 13 partner or family member(s).

14 For the purposes of this section, "self-administration" shall include the ability of any ill,

15 injured or infirm person who has sufficient understanding of their prescribed controlled

16 substance(s); the indications and contraindications for such controlled substance(s); a

17 recollection of the administration schedule for such controlled substance(s) and an ability to

18 communicate this knowledge and the experienced effect of having taken a controlled substance,

19 to supervise an unlicensed person in the direct administration of such controlled substance(s) to

20 them.