SENATE DOCKET, NO. 964 FILED ON: 1/18/2023

SENATE . . . . . No. 767

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 define modest meals and refreshments in prescriber education settings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jason M. Lewis	*Fifth Middlesex*

SENATE DOCKET, NO. 964 FILED ON: 1/18/2023

SENATE . . . . . No. 767

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 767) of Jason M. Lewis for legislation to define modest meals and refreshments in prescriber education settings. Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *790* OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to define modest meals and refreshments in prescriber education settings.

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 1 of Chapter 111N of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting before the definition of "Person" the following definition:-

"Modest Meals and Refreshments," food and/or drinks provided by or paid for by a pharmaceutical or medical device manufacturing company or agent to a health care practitioner, the cost of which does not exceed the allowance defined by the United States General Services Administration for the Massachusetts per diem localities. The allowable amounts for modest meals and refreshments shall be updated on an annual basis in accordance with the United States General Services Administration meal allowance rates.

SECTION 2. Section 2 of Chapter 111N of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in line 84, the words "; provided that the department shall define modest meals and refreshments through regulation".

Section 3. The sixth paragraph of section 2 of Chapter 111N of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, in line 84, after the words "in section 2A.", the following sentences:-

For the purposes of this section, presentations that occur in a manner conducive to informational communication shall prohibit the provision of and pharmaceutical or medical device manufacturing company payment for any form of alcoholic beverage. Meals and refreshments shall be provided within the context of the informational presentation, and shall not occur prior to or following the educational presentation. Presentations shall not occur in locations that are otherwise recreational in nature, including, but not limited to, resorts, sporting clubs, casinos or other vacation destinations.

SECTION 3. Section 2A of Chapter 111N of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, after clause (3), the following items:

(4) total amount spent on meals for such presentation;

(5) total amount spent on the venue for such presentation;

(6) a description of the content of such presentation;

(7) total number of prescriber attendees at such presentation;

(8) names of attendees present at such presentation;

(9) names and credentials of presenters at such presentation; and

(10) total amount spent on other items of economic value provided at such presentation.

SECTION 4. Subsection (1) of section 6 of Chapter 111N of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following sentence:-

The department of public health shall collect receipts for all required reporting expenditures pursuant to this section and section 2A of this chapter.