

HOUSE No. 5382

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 2026.

The committee on Health Care Financing to whom was referred the Bill relative to toxic-free medical devices (House, No. 4298), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5382).

For the committee,

JOHN J. LAWN, JR..

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to toxic-free medical additives reforming your health.

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. Chapter 111 of the General Laws is hereby amended by inserting after Section
2 244 the following section:-

3 Section 245. (a) For the purposes of the section, unless the context clearly requires
4 otherwise, the following words shall have the following meanings:-

5 "DEHP." Di(2-ethylhexyl) phthalate

6 "Health care practitioner." An individual who is authorized to practice some component
7 of the healing arts by a license, permit, certificate or registration issued by a Commonwealth
8 licensing agency or board.

9 "Intentionally added DEHP." Either of the following:

10 (1) DEHP that a manufacturer has intentionally added to an intravenous solution
11 container or intravenous tubing product and that has a functional or technical effect on the
12 product.

13 "Intravenous solution container." A container used to house medicine, fluid or nutrition
14 therapy that is intravenously delivered to a patient in a hospital, outpatient facility or other health
15 care facility.

16 "Intravenous tubing." Tubing used to intravenously administer fluids, medication or
17 nutrients directly to an adult, child, or infant.

18 "Ortho-phthalate." A class of chemicals that are esters of ortho-phthalic acid, including
19 DEHP and any of the following:

20 (1) Benzyl-butyl phthalate (BBP)

21 (2) Dibutyl phthalate (DBP)

22 (3) Dicyclohexyl phthalate (DCHP)

23 (4) Diethyl phthalate (DEP)

24 (5) Di-isobutyl phthalate (DIBP)

25 (6) Di-isodecyl phthalate (DIDP)

26 (7) Di-isononyl phthalate (DINP)

27 (8) Di-n-hexyl phthalate (DnHP)

28 (9) Di-n-octyl phthalate (DNOP)

29 (10) Di-n-pentyl phthalate (DnPP)

30 (11) Diisoheptyl phthalate (DIHP)

31 “Unintentionally added DEHP.” DEHP in an intravenous solution container or
32 intravenous tubing product that is not used for functional or technical effect on the product.

33 (b) Beginning January 1, 2030, a person or entity shall not manufacture, sell or contribute
34 into commerce in the Commonwealth intravenous solution containers made with intentionally
35 added DEHP.

36 (c) Beginning January 1, 2035, a person or entity shall not manufacture, sell or distribute
37 into commerce in the Commonwealth intravenous tubing made with intentionally added DEHP.

38 (d) A person or entity may not replace DEHP, pursuant to this section, with another
39 ortho-phthalate in a new or revised medical device.

40 (e) An intravenous solution container or intravenous tubing product shall not have
41 unintentionally added DEHP present at a quantity at or above 0.1 percent weight per weight
42 (w/w).

43 (f) The following items, as described in Title 21 of the Code of Federal Regulations, are
44 exempt from these provisions:-

45 (1) human blood collection and storage bags

46 (2) apheresis and cell therapy blood kits and bags, including integral tubing

47 (g) A person or entity, due to pending United States Food and Drug Administration
48 approval for the DEHP-free intravenous solution container or due to the manufacturer not having
49 adequate equipment to manufacture the DEHP-free intravenous solution container, shall meet the
50 requirement in subsection (b) by January 1, 2032, if all of the following conditions are met:

51 (1) The person or entity notified its Massachusetts customers, no later than Oct 1, 2026,
52 that it has commenced development of the DEHP free intravenous solution container to meet the
53 requirements of this section.

54 (2) The person or entity provides notice to its customers and posts to its official internet
55 website, no later than January 1, 2028, that it will not meet the deadline imposed pursuant to
56 subsection (b).".