

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Sally P. Kerans

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 opioid reversal drugs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>1/13/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to opioid reversal drugs.

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

1 Chapter 94C is hereby amended in Section 19B by striking Section 19B and inserting in
2 place thereof the following new section:-

3 Section 19B. (a) As used in this section and unless the context clearly requires otherwise,
4 “opioid antagonist” shall mean any drug approved by the federal Food and Drug Administration
5 as a competitive narcotic antagonist used in the reversal of overdoses caused by opioids.

6 (b) The department shall ensure that a statewide standing order is issued to authorize the
7 dispensing of all opioid antagonist in the commonwealth by any licensed pharmacist. The
8 statewide standing order shall include, but not be limited to, written, standardized procedures or
9 protocols for the dispensing of all opioid antagonist by a licensed pharmacist. Notwithstanding
10 any general or special law to the contrary, the commissioner, or a physician who is designated by
11 the commissioner and is registered to distribute or dispense a controlled substance in the course
12 of professional practice under section 7, shall issue a statewide standing order to be used for a
13 licensed pharmacist to dispense an opioid antagonist under this section.

14 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may
15 dispense an opioid antagonist in accordance with the statewide standing order issued under
16 subsection (b). Except for an act of gross negligence or willful misconduct, a pharmacist who,
17 acting in good faith, dispenses an opioid antagonist shall not be subject to any criminal or civil
18 liability or any professional disciplinary action by the board of registration in pharmacy related
19 to the use or administration of an opioid antagonist.

20 (d) A pharmacist who dispenses an opioid antagonist shall annually report to the
21 department the number of opioid antagonist doses dispensed. Reports shall not identify an
22 individual patient, shall be confidential and shall not constitute a public record as defined in
23 clause Twenty-sixth of section 7 of chapter 4. The department shall publish an annual report that
24 includes aggregate information about the dispensing of opioid antagonists in the commonwealth.

25 (e) A pharmacist or designee who dispenses an opioid antagonist pursuant to this section
26 shall, for the purposes of health insurance billing and cost-sharing, treat the transaction as the
27 dispensing of a prescription to the person purchasing the opioid antagonist regardless of the
28 ultimate user of the opioid antagonist. Unless the person purchasing the opioid antagonist
29 requests to pay for the prescription out-of-pocket, the pharmacist or designee shall make a
30 reasonable effort to identify the purchaser's insurance coverage and to submit a claim for the
31 opioid antagonist to the insurance carrier prior to dispensing the opioid antagonist.

32 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a
33 physician who issues the statewide standing order under subsection (b) and any practitioner who,
34 acting in good faith, directly or through the standing order, prescribes or dispenses an opioid

35 antagonist shall not be subject to any criminal or civil liability or any professional disciplinary
36 action.

37 (g) A person acting in good faith may receive a prescription for an opioid antagonist,
38 possess an opioid antagonist and administer an opioid antagonist to an individual appearing to
39 experience an opioid-related overdose. A person who, acting in good faith, administers an opioid
40 antagonist to an individual appearing to experience an opioid-related overdose shall not, as a
41 result of the person's acts or omissions, be subject to any criminal or civil liability or any
42 professional disciplinary action. The immunity established under section 34A shall also apply to
43 a person administering an opioid antagonist pursuant to this section.

44 (h) The department, the board of registration in medicine and the board of registration in
45 pharmacy shall adopt regulations to implement this section.