

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 pharmaceutical gag clauses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1055 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act relative to pharmaceutical gag clauses.

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, no contract for
2 pharmacy services between a health insurance carrier or pharmacy benefits manager and a
3 pharmacy or pharmacist shall contain a provision prohibiting or penalizing a pharmacist’s
4 disclosure to an insured individual purchasing a covered prescription medication of information
5 regarding (i) the cost of the prescription medication to the individual, and (ii) the availability of
6 any equivalent medication or alternative methods of purchasing the prescription medication,
7 including, but not limited to, paying a cash price, which may be less expensive than the cost of
8 the prescription medication to the individual.

9 SECTION 2. No health insurance carrier or pharmacy benefits manager shall require an
10 individual to make a payment at the point of sale for a covered prescription medication in an

- 11 amount greater than the amount an individual would pay for the prescription medication if the
- 12 individual purchased the prescription medication without using a health insurance plan.