

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Carole A. Fiola***

*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 medical sharps stewardship.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/15/2025</i>

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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

An Act relative to medical sharps stewardship.

*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. Section 1 of chapter 94H of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out the second paragraph and inserting in place  
3 thereof the following paragraph:-

4           “Covered drug”, any brand name or generic opioid drug placed in Schedule II or  
5 Schedule III of section 3 of chapter 94C; provided, however, that “covered drug” shall also  
6 include “(i) benzodiazepines, and (ii) sharps subject to collection and disposal procedures  
7 established in section 27A of chapter 94C; provided, further, that “covered drug” shall not  
8 include (i) drugs intended for use solely in veterinary care; (ii) substances that are regulated as  
9 cosmetic products under the United States Food, Drug and Cosmetic Act, 21 U.S.C. § 301 et seq;  
10 (iii) drugs that are compound under a specialty license pursuant to sections 39G to 39J, inclusive,  
11 of chapter 112; or (iv) drugs approved and used primarily for medication-assisted substance use  
12 disorder treatment.

13 SECTION 2. Said section 1 of chapter 94H, is hereby further amended by inserting the  
14 following definition:-

15 “Sharps”, objects with sharp points or edges that can puncture or cut skin, which shall  
16 include but are not limited to hypodermic needles, syringes, lancets, auto injectors, infusion sets,  
17 and connection needles.

18 SECTION 3. Said section 1 of chapter 94H, is hereby further amended by inserting the  
19 following definition:-

20 “Sharps disposal containers”, containers made from rigid puncture-resistant plastic or  
21 metal with leak-resistant sides and bottom, and a tight-fitting, puncture-resistant lid with an  
22 opening to accommodate depositing a sharp but not large enough for a hand to enter.

23 SECTION 4. Section 3 of chapter 94H, as so appearing, is hereby amended by striking  
24 out the section in its entirety and inserting in place thereof the following section:-

25 Section 3. A manufacturer or stewardship organization seeking approval for a drug  
26 stewardship program shall submit, in a manner and form determined by the department, a plan  
27 that meets, but is not limited to, the following requirements:

28 (i) for all covered drugs not including sharps, a collection system to provide convenient,  
29 ongoing collection services to all persons seeking to dispose of unwanted drugs; provided,  
30 however, that the collection system may accept any covered drug and any other prescription drug  
31 in a pill formulation regardless of its schedule, brand or source of manufacture; provided further,  
32 that the collection system shall include 2 methods as recommended by the department, which  
33 may include, but not be limited to: (A) a mail-back program that provides prepaid and

34 preaddressed packaging for a pharmacy to distribute when filling a prescription for a covered  
35 drug or upon request by a consumer; (B) collection kiosks; (C) drop-off day events at regional  
36 locations; (D) in-home disposal methods that render a product safe from misuse and that comply  
37 with applicable controlled substance regulations and environmental safety regulations; or (E) any  
38 other method recommended pursuant to United States Drug Enforcement Administration  
39 guidelines;

40 (ii) for sharps, a mail-back collection system that provides prepaid and preaddressed  
41 packaging for a pharmacy to distribute when filling a prescription that includes sharps or upon  
42 request by a consumer that shall include but not be limited to: (a) the contact information for the  
43 operator of the program and for each entity participating in the program; (b) the list of sharps  
44 sold or offered by sale by each participating entity covered by the stewardship program; (c) the  
45 name and contact information of the service provider to be used to transport, process, or dispose  
46 of sharps collected through the stewardship program; (d) safe and secure processes that collect,  
47 track, and properly manage sharps waste from collection through final disposal; (e) sufficient  
48 amounts of sharps disposal containers to accommodate the volume of sharps purchased by the  
49 consumer over a selected time period; (f) all necessary information for the consumer on the  
50 proper disposal of sharps; (g) a label affixed to the sharps disposal container or packaging or on a  
51 separate sheet with the program operator's internet website and toll-free telephone number; (h)  
52 all necessary prepaid postage and mail-back packaging;

53 (iii) adequate provisions for the security of unwanted drugs throughout the collection  
54 process and the safety of any person involved in monitoring, staffing, or servicing the  
55 stewardship program;

56 (iv) a plan for the manufacturer or stewardship organization that provides the operational  
57 and administrative costs associated with the program; provided, however that no point-of-sale,  
58 point-of-collection, processing fees or other drug cost increases may be charged to individual  
59 consumers to recoup program costs;

60 (v) an attestation that the program shall comply with all applicable state and federal  
61 requirements for the collection, security, transport and disposal of drug products, including any  
62 requirements established by the rule or regulation of either the United States Drug Enforcement  
63 Administration or the United States Environmental Protection Agency; and

64 (vi) any other requirements established by the department for the sale and effective  
65 administration of a drug stewardship program.