SENATE . . . . . No. 3106

The Commonwealth of Massachusetts

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

SENATE, June 1, 2026.

The committee on Senate Ways and Means to whom was referred the Senate Bill Toxic-Free Medical Devices Act of 2025 (Senate, No. 2579), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 3106).

For the committee,
Michael J. Rodrigues

FILED ON: 6/1/2026

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An Act relative to toxic-free medical devices.

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. Chapter 111 of the General Laws is hereby amended by inserting after section 249 the following section:-

Section 250. (a) As used in this section, the following terms shall have the following meanings unless the context requires otherwise:-

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

"Intentionally added DEHP", DEHP that a manufacturer has intentionally added to an intravenous solution container or intravenous tubing product; provided, however, that such DEHP has a functional or technical effect on the product.

"Intravenous solution container", a container used to hold medicine, fluid or nutrition therapy that is intravenously delivered to a patient in a hospital, outpatient facility or other health care facility; provided, however, that an intravenous solution container shall not include: (i)

human blood collection or storage bags; or (ii) apheresis and cell therapy blood kits and bags, including integral tubing, as contained in Title 21 of the Code of Federal Regulations.

"Intravenous tubing product", tubing for intravenously administering fluids, medication or nutrients directly to an adult, child or infant.

"Ortho-phthalate", a class of chemicals that are esters of ortho-phthalic acid, including DEHP and: (i) butyl benzyl phthalate; (ii) dibutyl phthalate; (iii) dicyclohexyl phthalate; (iv) diethyl phthalate; (v) diisobutyl phthalate; (vi) diisodecyl phthalate; (vii) diisononyl phthalate ; (viii) di-n-hexyl phthalate; (ix) di-n-octyl phthalate; (x) di-n-pentyl phthalate; or (xi) diisoheptyl phthalate.

(b) A person or entity shall not manufacture, sell or contribute into commerce in the commonwealth intravenous solution containers made with intentionally added DEHP; provided, however, that an intravenous solution container may have trace amounts of DEHP if such DEHP is not used for a function or technical effect and is not more than 0.1 percent weight per weight. A person or entity may not replace DEHP with another ortho-phthalate in a new or revised intravenous solution container.

(c) A person or entity shall not manufacture, sell or contribute into commerce in the commonwealth intravenous tubing product made with intentionally added DEHP; provided, however, that an intravenous tubing product may have trace amounts of DEHP if it is not used for a functional or technical effect and is not more than 0.1 per cent weight per weight. A person or entity may not replace DEHP with another ortho-phthalate in a new or revised intravenous tubing product.

SECTION 2. Subsection (b) of section 1 shall take effect on January 1, 2030.

SECTION 3. Subsection (c) of section 1 shall take effect on January 1, 2035.