

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 the administration of anti-psychotic or other psychotropic substances to nursing home residents.

PETITION OF:

NAME:

Bruce E. Tarr

DISTRICT/ADDRESS:

First Essex and Middlesex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to the administration of anti-psychotic or other psychotropic substances to nursing home residents.

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 72BB of chapter 111 of the general laws, as appearing in the 2022
2 Official Edition, is hereby amended, by inserting at the end of subsection (b), the following:

3 “for the purposes of this section, a psychotropic is any drug that affects brain activities
4 associated with mental processes and behavior” The relevant drug categories are antipsychotics,
5 antidepressants, anxiolytics, and depressants. Additional drugs, such as anticonvulsants, may
6 also be included in this definition, especially if these medications are administered for the same
7 reason as a psychotropic medication.

8 SECTION 2. Said section 72BB of chapter 111, is hereby further amended after
9 subsection (c), the following additional subsections:

10 (d) Failure of a nursing home to submit the Nursing Home (NH) Antipsychotic
11 Medication Measures report as required by the Centers for Medicare and Medicaid shall
12 constitute a violation of this section, that shall be punishable by a monetary penalty as

13 established by the department; and any pattern of failure to submit said reports may be
14 punishable by suspension of new admissions to such nursing home.

15 (e) Each quarterly report of the Nursing Home (NH) Antipsychotic Medication Measures
16 report as required by the Centers for Medicare and Medicaid shall, at the time of submission be
17 prominently posted on the department website and the website of the respective nursing home as
18 public information.

19 (f) The care plan of any resident to whom a psychotropic is administered, shall list the
20 name and license number of the authorized prescriber, the date of evaluation documenting the
21 need for the prescription, the reasons for prescribing said psychotropic, and shall certify that the
22 resident or guardian, if any, has given informed consent, such written declaration shall be made
23 under the penalties of perjury.