

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Jacob R. Oliveira***

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*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 to ensure access to epinephrine for minors.**

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PETITION OF:

NAME:

*Jacob R. Oliveira*

DISTRICT/ADDRESS:

*Hampden, Hampshire and Worcester*

**SENATE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 700 OF 2023-2024.]

**The Commonwealth of Massachusetts**

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

An Act to ensure access to epinephrine for minors.

*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. Chapter 32A of the General Laws, as appearing in the 2022 Official  
2 Edition, is hereby amended by inserting after section 17Q the following section:-

3 Section 17R. (a) Any coverage offered by the commission to an active or retired  
4 employee of the commonwealth insured under the group insurance commission shall provide  
5 coverage at no cost for medically necessary epinephrine injectors for individuals under 18 years  
6 of age for the appropriate weight-based dosage of epinephrine injectors.

7 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
8 injector approved by the United States Food and Drug Administration for the administration of  
9 epinephrine and a pre-filled syringe approved by the United States Food and Drug  
10 Administration and used for the administration of epinephrine that contains a pre-measured dose  
11 of epinephrine that is equivalent to the dosages used in an auto-injector.

12 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
13 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
14 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
15 years of age and older.

16 SECTION 2. (a) Chapter 118E of the General Laws is hereby amended by inserting after  
17 section 10L the following section:-

18 Section 10M. The division and its contracted health insurers, health plans, health  
19 maintenance organizations, behavioral health management firms and third-party administrators  
20 under contract to a Medicaid managed care organization or primary care clinician plan shall  
21 provide coverage at no cost for medically necessary epinephrine injectors for individuals under  
22 18 years of age for the appropriate weight-based dosage of epinephrine injectors.

23 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
24 injector approved by the United States Food and Drug Administration for the administration of  
25 epinephrine and a pre-filled syringe approved by the United States Food and Drug  
26 Administration and used for the administration of epinephrine that contains a pre-measured dose  
27 of epinephrine that is equivalent to the dosages used in an auto-injector.

28 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
29 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
30 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
31 years of age and older.

32 SECTION 3. (a) Chapter 175 of the General Laws is hereby amended by inserting after  
33 section 47KK the following section:-

34 Section 47LL. Any individual policy of accident or sickness insurance issued pursuant to  
35 this chapter shall provide coverage at no cost for medically necessary epinephrine injectors for  
36 individuals under 18 years of age for the appropriate weight-based dosage of epinephrine  
37 injectors.

38 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
39 injector approved by the United States Food and Drug Administration for the administration of  
40 epinephrine and a pre-filled syringe approved by the United States Food and Drug  
41 Administration and used for the administration of epinephrine that contains a pre-measured dose  
42 of epinephrine that is equivalent to the dosages used in an auto-injector.

43 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
44 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
45 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
46 years of age and older.

47 SECTION 4. (a) Chapter 176A of the General Laws is hereby amended by inserting after  
48 section 8MM the following section:-

49 Section 8NN. Any contract between a subscriber and the corporation under an individual  
50 group or hospital service plan that is delivered, issued or renewed within the commonwealth  
51 shall provide coverage at no cost for medically necessary epinephrine injectors for individuals  
52 under 18 years of age for the appropriate weight-based dosage of epinephrine injectors.

53 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
54 injector approved by the United States Food and Drug Administration for the administration of  
55 epinephrine and a pre-filled syringe approved by the United States Food and Drug

56 Administration and used for the administration of epinephrine that contains a pre-measured dose  
57 of epinephrine that is equivalent to the dosages used in an auto-injector.

58 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
59 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
60 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
61 years of age and older.

62 SECTION 5. (a) Chapter 176B of the General Laws is hereby amended by inserting after  
63 section 4MM the following section:-

64 Section 4NN. (a) Any subscription certificate under an individual or group medical  
65 service agreement delivered, issued or renewed within the commonwealth shall provide coverage  
66 at no cost for medically necessary epinephrine injectors for individuals under 18 years of age for  
67 the appropriate weight-based dosage of epinephrine injectors.

68 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
69 injector approved by the United States Food and Drug Administration for the administration of  
70 epinephrine and a pre-filled syringe approved by the United States Food and Drug  
71 Administration and used for the administration of epinephrine that contains a pre-measured dose  
72 of epinephrine that is equivalent to the dosages used in an auto-injector.

73 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
74 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
75 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
76 years of age and older.

77 SECTION 6. (a) Chapter 176G of the General Laws is hereby amended by inserting after  
78 section 4EE the following section:-

79 Section 4FF. Any individual or group health maintenance contract shall provide coverage  
80 at no cost for medically necessary epinephrine injectors for individuals under 18 years of age for  
81 the appropriate weight-based dosage of epinephrine injectors.

82 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-  
83 injector approved by the United States Food and Drug Administration for the administration of  
84 epinephrine and a pre-filled syringe approved by the United States Food and Drug  
85 Administration and used for the administration of epinephrine that contains a pre-measured dose  
86 of epinephrine that is equivalent to the dosages used in an auto-injector.

87 (c) Coverage for epinephrine auto-injector 2-packs, under this section, shall not be  
88 subject to any deductible, co-insurance, or co-payment that exceeds \$60 per supply, regardless of  
89 the amount or type of epinephrine needed to fill an insured person’s prescription for those 18  
90 years of age and older.

91 SECTION 7. (a) There shall be a commission within the executive office of health and  
92 human services for the purpose of studying and making recommendations relative to the  
93 manufacturing and pricing of dupilumab, omalizumab, and allergy immunotherapy shots,  
94 specifically the creation of generic versions.

95 (b) The commission shall consist of members from the secretary of health and human  
96 services, department of public health, center for health information and analysis, and the division  
97 of insurance.

98           (c) Members of the commission shall be appointed within 30 days of this act being  
99 effective. The commission shall meet not fewer than 6 times per calendar year.

100           (d) The commission shall submit an annual report by December 31 to the governor, the  
101 clerks of the house of representatives and the senate, and the joint committee on consumer  
102 protection and professional licensure. The report will be a public record.