

**Committee on Public Health
Bill Summary**

Bill No.	H2377
Title:	<i>An Act to improve patient access to prescription medication</i>
Sponsor:	Representative Nicholas A. Boldyga
Committee:	Public Health
Hearing Date:	June 11, 2025
Similar Matters:	None
Prior History:	Refile of Refile of H2140 of 2023-2024; Referred to Committee on Public Health; Accompanied a study order.
Reporting Deadline:	August 10, 2025

Current Law:

- **M.G.L. Chapter 94C, §7** governs the registration of persons who manufacture, distribute, dispense or possess controlled substances. The section also specifies those who are authorized to possess and dispense controlled substances without registration.
- **M.G.L. Chapter 94C, §9** governs the administering and dispensing of controlled substances by health care practitioners in the course of professional practice. Subsection (b) specifies the circumstances under which a practitioner may administer and dispense controlled substances to a patient. The amount or quantity of a controlled substance dispensed under subsection (b) is limited to the quantity necessary for the immediate and proper treatment of the patient until it is possible for the patient to have a prescription filled by a pharmacy. Subsection (b) also limits the controlled substances that may be dispensed to medication that is classified by DPH as schedule VI and provided by a manufacturer either as part of an indigent patient program or for use as samples so long as the prescription medication is dispensed by the authorized provider in the package provided by the manufacturer and provided at no charge to the patient.

Summary:

The bill would amend subsection (b) of Section 9 by eliminating the current restrictions on the dispensing of prescription medication by practitioners and allowing practitioners to dispense prescription medication in response to a medical emergency.

The bill would replace the current listing of specified practitioners and instead refer to any practitioner registered under section 7 of chapter 94C.

The amended subsection (b) would allow a practitioner registered under section 7 to, in the good faith exercise of their clinical judgment, dispense to a patient:

1. Any prescription medication not regulated under chapter 94C;
2. Any prescription medication that DPH classifies as schedule VI, subject to regulations regarding safe storage, labeling, and recordkeeping as DPH may adopt;
3. Any prescription medication that DPH classifies as schedule II–V, subject to regulations regarding safe storage, labeling, recordkeeping, dosage, and quantity as DPH may adopt.

Before dispensing a prescription medication under this section, a practitioner must inform the patient of their right to purchase the medication from any other practitioner registered under section 7.

The amended subsection (b) would also allow a practitioner to dispense any prescription medication necessary to respond to a medical emergency.