
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JULY 24, 2024.

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JOURNAL OF THE HOUSE.

Wednesday, July 24, 2024.

Met according to adjournment at eleven o'clock A.M. with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Monthly Report.

The monthly report of the Department of Revenue (under Section 5 of Chapter 62F of the General Laws) on year-to-date net state tax revenue for May, 2024, was placed on file.

Net state
tax revenue.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Garry of Dracut and Senator Kennedy, a joint petition (accompanied by bill, House, No. 4907) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Tyngsborough be authorized to grant up to three additional licenses for the sale of all alcoholic beverages to be drunk on the premises of a restaurant in said town. To the committee on Consumer Protection and Professional Licensure.

Tyngsborough,—
liquor
licenses.

By Representative Whipps of Athol and Senator Comerford, a joint petition (accompanied by bill, House, No. 4908) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Warwick be authorized to continue the employment of David A. Shoemaker as police chief of said town notwithstanding the maximum age requirement. To the committee on Public Service.

Warwick,—
David
Shoemaker.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill enhancing the market review process (House, No. 4653), came from the Senate with the endorsement that said branch had insisted on its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2881; and striking out the title and inserting in place thereof the following title "An Act enhancing the health care market review process.") (in which the House had non-concurred).

Market review
process.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Friedman, Cronin and Tarr had been joined as the committee on the part of the Senate.

Committee of
conference.

The House Order relative to extending until Friday, July 19, 2024, the time within which the committee on State Administration and Regulatory Oversight be granted to make its final report on current Senate and House documents (House, No. 4817), came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment in line 2 striking out the date: “Friday, July 19” and inserting in place thereof the date: “Tuesday, December 31”.

Under suspension of the Rule 35, on motion of Mr. Garballey of Arlington, the amendment was considered forthwith; and it was adopted, in concurrence.

Bills

Relative to successful transition and re-entry to tomorrow for incarcerated persons (Senate, No. 2883) (on Senate bill No. 1506);

Relative to bus lane enforcement (Senate, No. 2884) (on a part of Senate bill No. 2600); and

Establishing a special commission to review the adequacy and equity of the Massachusetts school building program (Senate, No. 2885) (on Senate bill No. 2659);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

State
Administration
and Regulatory
Oversight,—
extension of
time for making
reports.

Incarcerated,—
identification.

Bus lane
enforcement.

School building
program,—
study.

Reports of Committees.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Authorizing the town of Williamsburg to continue employment of Glen Everett beyond the age of 65 (House, No. 4769) [Local Approval Received]; and

Authorizing the town of Holliston to grant an additional license for the sale of all alcoholic beverages (House, No. 4867) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of Mr. Garballey of Arlington, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Williamsburg,—
Glen Everett.

Holliston,—
liquor license.

By Mr. Murphy of Weymouth, for the committee on Financial Services, on House, Nos. 955, 975, 1005, 1018, 1023 and 3583, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents relative to banking, motor vehicles and other related matters (House, No. 4898).

Banking, motor
vehicles, etc.,—
study.

By Mr. Madaro of Boston, for the committee on Mental Health, Substance Use and Recovery, on House, Nos. 1963, 1980, 2002 and 2007, an Order relative to authorizing the committee on Mental Health Substance Use and Recovery to make an investigation and study of certain House documents relative to mental health, controlled substances and training (House, No. 4897).

Mental health,
controlled
substances and
training,—
study.

By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on House, Nos. 2315, 2336, 2344, 2348, 2407 and 2412, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents relative to law enforcement and training (House, No. 4878) [Senator Velis dissenting].

Law
enforcement
and training,—
study.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 3263, 3266, 3284, 3287, 3307, 3361, 3409, 3417 and 3430, an Order relative to authorizing the committee on Transportation to make an investigation and study of

Road financing,
free public
transit, etc.,—
study.

certain House documents relative to road financing, free public transit and other related matters (House, No. 4899).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Gordon of Bedford, for the committee on Public Service, on a joint petition, a Bill extension for mandatory retirement [sic] (House, No. 4780) [Local Approval Received].

West
Brookfield,—
Daniel Santos.

By the same member, for the same committee, on a joint petition, a Bill extension for mandatory retirement [sic] (House, No. 4781) [Local Approval Received].

W. Brookfield,—
George Collette.

By the same member, for the same committee, on a petition, a Bill relative to the minimum years of service required to be eligible for a civil service promotion to the position of fire lieutenant in the town of Milford (House, No. 4782) [Local Approval Received].

Milford,—
fire lieutenant.

By the same member, for the same committee, on House, No. 4783, a Bill authorizing the town of Milford to continue limited employment of certain police officers on superannuation retirement (House, No. 4896) [Local Approval Received].

Milford,—
police
retirement.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill designating a certain park in the city of Cambridge as Richard McKinnon park (see Senate, No. 469), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Cambridge,—
McKinnon
park.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate amendment of the House Bill facilitating the appropriation and expenditure of community preservation funds for community housing purposes in the town of Wellesley (House, No. 4042), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Ms. Fiola of Fall River; and it was adopted, in concurrence.

Wellesley,—
community
housing.

The House Bill relative to certain loans by the Federal Home Loan Bank (House, No. 958), reported by the committee on Bills in the Third Reading to be correctly

Federal
home loans.

drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Murphy of Weymouth.

Pending the question on passing the bill to be engrossed, Mr. Walsh of Peabody moved to amend it by substitution of a bill with the same title (House, No. 4905), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at a quarter after one o'clock the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Milton to use certain land acquired for conservation purposes for school purposes (see Senate, No. 2840, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Milton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 137.

[See [Yea and Nay No. 137](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2484) of the House Bill relative to salary range transparency (House, No. 4109), recommending passage of a bill with the same title (House, No. 4890), be scheduled for consideration by the House, the question being on acceptance.

Salary range
transparency.

Under suspension of Rule 7A, on motion of Miss Gregoire of Marlborough, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 5 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 138.

[See [Yea and Nay No. 138](#) in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the report of the committee of conference on the disagreeing votes of the two

Information
technology,—

branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2814) of the House Bill to provide for the future information technology needs of Massachusetts (House, No. 4648), recommending passage of a bill with the same title (House, No. 4889) [Bond Authorization: \$1,256,989,000.00], be scheduled for consideration by the House, the question being on acceptance.

Under suspension of Rule 7A, on motion of Mr. Finn of West Springfield, the report was considered forthwith.

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 155 members voted in the affirmative and 2 in the negative.

[See [Yea and Nay No. 139](#) in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

bonds.

Conference
committee
report
accepted,—
yea and nay
No. 139.

Emergency Measure.

There being no objection,— The engrossed Bill to provide for the future information technology needs of Massachusetts (see House, No. 4889), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 38 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 2 in the negative.

[See [Yea and Nay No. 140](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Information
technology,—
bonds.

Bill enacted
(state loan),—
yea and nay
No. 140.

Reports of Committees.

Prior to the noon recess (Mr. Donato of Medford being in the Chair),— By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to pharmaceutical access, costs and transparency (Senate, No. 2520), be scheduled for consideration by the House, with the amendments previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith.

The amendments previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4891; and by striking out the title and inserting in place thereof the following title: “An Act promoting access and affordability of prescription drugs.”,— were adopted; and the bill (Senate, No. 2520, amended), was ordered to a third reading.

Prescription
drugs.

Subsequently, the noon recess having terminated (Ms. Hogan of Stow being in the Chair), under suspension of the rules, on motion of Mr. Lawn of Watertown, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Michlewitz of Boston and other members of the House moved to amend it in section 2, in line 14, and also in section 16, in line 228, by inserting after the word “include”, in each instance, the following: “a hospital licensed under section 51 of chapter 111,”;

By inserting after section 28 the following two sections:

“SECTION 28A. Chapter 111 of the General Laws is hereby amended by adding the following section:—

Section 245. (a) The department shall implement a provider immunization brand choice requirement as part of the commonwealth’s universal immunization program under section 24I, routine childhood immunizations under 24N; the Vaccines for Children Program operated by the department under the authority of 42 U.S.C. §1396s; and in any other existing or future immunization program for children or adults administered by the commonwealth using local, state or federal funds.

(b) For all categories of immunizations included in subsection (a), all participating health care providers shall be able to select any brand or type of immunization, including any combination immunization and dosage form, as long as the immunization is licensed or authorized for emergency use by the federal Food and Drug Administration and recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices. The department shall not limit the ability of such health care providers to provide an immunization by limiting the supply of immunizations purchased by the department. This section shall not apply in the event of a shortage or delay in vaccine availability, disaster or public health emergency, terrorist attack, hostile military or paramilitary action, or extraordinary law enforcement emergency.

(c) The department shall, for the purposes of the purchase, delivery and administration of vaccines, use the Center for Disease Control and Prevention vaccine list established, and periodically reviewed and revised, by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices.

(d) The department shall implement all or part of the provider immunization brand choice requirement as soon as practicable; provided, however, that the department shall complete full implementation of the system not later than July 1, 2025.

SECTION 28B. Chapter 112 of the General Laws is hereby amended by inserting after section 38 the following section:—

Section 38A. (a) For the purposes of this section, a ‘pharmacy desert’ shall mean an area where there is no or limited access to pharmacies due to factors, but not limited to: (i) geographic location, specifically areas where the nearest pharmacy is more than 1 mile away in urban areas, more than 5 miles away in suburban areas, and more than 10 miles away in rural areas; (ii) distance and travel time, defined as travel time exceeding 15 minutes by car or 30 minutes by public transportation; (iii) limited access to transportation, both public and private, including areas with infrequent public transit services or where at least 20 per cent of the population lacks access to private vehicles.

(b) Any entity that intends to close a pharmacy or pharmacy department registered by the board for the transaction of a ‘drug business’, as defined in section 37, shall notify the board in writing at least 60 days before the proposed closure date.

Consolidated
amendments.

The entity shall send a copy of the notice to the members of the General Court who represent the municipality in which the pharmacy or pharmacy department is located, and the clerk of the municipality in which the pharmacy or pharmacy department is located, who shall distribute the notice to the appropriate local officials. Within 15 days of receipt of the notice of the intended closing, the board shall conduct a review to determine whether the intended closing is likely to result in the creation of a pharmacy desert. If the board finds that the intended closing is likely to result in the creation of a pharmacy desert, the board shall conduct a public hearing not later than 45 calendar days prior to the proposed closure date set out in the entity's notice. At the public hearing, the board shall present information on alternative sources of pharmacy services available to impacted consumers and allow interested parties the opportunity to share comments and concerns about the proposed closure. Such interested parties may include, but not be limited to, impacted residents, municipal government officials, the members of the General Court who represent the municipality in which the pharmacy or pharmacy department is located, local health care providers, and neighborhood associations or other community associations.”;

By inserting after section 29 the following section:

“SECTION 29A. Said chapter 118E is hereby further amended by striking out section 13L, as so appearing, and inserting in place thereof the following section:—

Section 13L. The secretary of health and human services, hereinafter ‘the secretary’, shall not take any actions, including through managed care entities as defined in section 13D½, that restrict or limit an eligible hospital’s access to the discounted purchase of prescription drugs to the full extent permitted under section 340B of the Public Health Service Act, as codified under 42 U.S.C. 256b unless the secretary provides the following not less than 180 days before the proposed effective date of the limitation or restriction: (i) notice to eligible hospitals of the proposed restriction or limitation; and (ii) a report with the joint committee on health care financing and the senate and house committees on ways and means detailing: (A) the proposed restriction or limitation; (B) the anticipated aggregate savings to the commonwealth; (C) the estimated fiscal impact of the restriction or limitation on each affected hospital; and (D) the manner in which the secretary plans to mitigate the fiscal impact, which may include measures to maintain savings already achieved by providers under said 42 U.S.C. 256b. Notwithstanding the preceding sentence, the secretary shall not designate greater than 25 prescription drugs at any given time to be restricted or limited from the discounts afforded to eligible hospitals under said 42 U.S.C. 256b; provided, that no prescription drug may be designated by the secretary unless the gross cost of such prescription drug is not less than \$100,000 per utilizer per year; provided further, that no GLP-1 antagonist drug not already designated by the secretary as of July 1, 2024 shall be so designated.”,

In lines 843, 844 and 845, by striking out the words “that ‘pharmacy benefit manager’ shall include a health benefit plan sponsor that does not contract with a pharmacy benefit manager and manages its own prescription drug benefits unless specifically exempted by the division” and inserting in place thereof the following: “however, that ‘pharmacy benefit manager’ shall not include a health benefit plan sponsor that (i) does not contract with a pharmacy benefit manager, (iii) manages its own prescription drug benefits, and (iii) is licensed as a carrier by the division”, in line 976, by inserting after the word “pharmacies” the following words “, in a form approved by the commissioner”, in lines 1004, 1005 and 1006, and also in lines 1011, 1012 and 1013, by striking out, in each instance, the sentences contained in those lines, in line 1021, by inserting after the word “fees.”, the following sentence: “A carrier shall be jointly responsible to pay the surcharge amount for violations of this

section by its contracted pharmacy benefit manager; provided, however, that a carrier shall not be jointly responsible to pay the surcharge amount for violations of this section by its contracted pharmacy benefit manager unless the contract between the carrier and the pharmacy benefit manager permits conduct prohibited by this section.”; and in line 1101, by inserting after the word “carriers.”, the following sentence: “A pharmacy benefit manager shall annually report to the commissioner: (i) any state or federal enforcement action taken against the pharmacy benefit manager, and (ii) any civil or criminal process or investigation involving the pharmacy benefit manager within the previous calendar year.”; and

By inserting after section 37 the following four sections:

“SECTION 37A. (a) There shall be a special commission to study and make recommendations on the incidence and impacts of vitiligo and associated light-related diseases and disorders of pigmentation in the commonwealth. The special commission shall consist of: the secretary of the executive office of health and human services or a designee; the commissioner of public health or a designee; the commissioner of insurance or a designee; 2 persons to be appointed by the governor, 1 of whom shall be a primary care provider who treats patients diagnosed with vitiligo, and 1 of whom shall be a physician practicing dermatology and who treats patients diagnosed with vitiligo; 3 persons who shall be appointed by the senate president, 1 of whom shall be the senate chair of the joint committee on public health or a designee, 1 of whom shall be a member of the senate representing a community with an increased prevalence of vitiligo and 1 of whom shall be a patient with vitiligo; 1 member of the senate appointed by the senate minority leader; and 3 persons who shall be appointed by the speaker of the house of representatives, 1 of whom shall be the house chair of the joint committee on public health, or a designee, 1 of whom shall be a member of the house of representatives representing a community with an increased prevalence of vitiligo and 1 of whom shall be a representative of VITFriends Vitiligo Support Group, Inc. based in the Hyde Park neighborhood of the city of Boston.

(b) The special commission shall: (i) establish a mechanism in order to ascertain the prevalence of vitiligo and associated light-related diseases and disorders of pigmentation in the commonwealth; (ii) study successful models of patient and family education and support programs; (iii) survey the extent of health insurance coverage for treatment and services associated with vitiligo and recommend options to improve patient access to and awareness of innovative, affordable and beneficial treatments and services; and (iv) provide recommendations for additional legislation, support programs and resources necessary to meet the unmet needs of persons with vitiligo and their families.

(c) The special commission shall select by a majority vote a chairperson and vice-chairperson from among its members. The executive office of health and human services shall provide staff support to the commission. The public members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(d) Not later than December 31, 2025, the commission shall submit the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, to the clerks of the house of representatives and the senate.

SECTION 37B. (a) For the purposes of this section, a ‘pharmacy desert’ shall mean an area where there is no or limited access to pharmacies due to factors such as: (i) geographic location, specifically areas where the nearest pharmacy is more than 1 mile away in urban areas, more than 5 miles away in suburban areas and more than

10 miles away in rural areas; (ii) distance and travel time, defined as travel time exceeding 15 minutes by car or 30 minutes by public transportation; and (iii) limited access to transportation, both public and private, including areas with infrequent public transit services or where at least 20 per cent of the population lacks access to private vehicles.

(b) Notwithstanding any general or special law to the contrary, the health policy commission, in consultation with the board of registration in pharmacy and the center for health information and analysis, shall conduct an analysis and issue a report on pharmacy deserts, with the objective of identifying the number of pharmacy deserts in the commonwealth and barriers to access to medications for residents in urban and underserved areas. The analysis and report shall include, but not be limited to:

- (i) an assessment on impacted neighborhoods and patient populations;
- (ii) an assessment on the impact of pharmacy deserts on access to medications and health care outcomes;
- (iii) an assessment of the geographical and financial barriers to obtaining medications faced by individuals living in pharmacy deserts;
- (iv) an assessment of the average distance and travel time to a pharmacy from an impacted neighborhood, and the transportation options available;
- (v) an assessment on the impact of pharmacy deserts on overall health care costs, including the costs of emergency department visits and hospitalizations;
- (vi) an assessment on the impact of pharmacy benefit manager business practices in contributing to the closures of pharmacies across the commonwealth; and
- (vii) policy recommendations to address current pharmacy deserts and limit the creation of new ones.

(c) Not later than February 1, 2025, the report shall be made available electronically on the health policy commission's website and shall be filed with the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on health care financing.

SECTION 37C. (a) The health policy commission shall convene a task force to assess the feasibility of requiring that patient-specific prescription drug benefit and deductible information be made available by payers to requesting providers in real-time, at the point of prescribing, and the potential cost savings to patients as a result of such requirement.

(b) The task force shall consist of: the executive director of the health policy commission or designee, who shall serve as chair; the commissioner for the division of insurance or designee; the house and senate chairs of the joint committee on health care financing; and 5 persons to be appointed by the chair, 1 of whom shall be a representative from the Massachusetts Health and Hospital Association, Inc., 1 of whom shall be a representative from the Massachusetts Association of Health Plans, Inc., 1 of whom shall be a representative from Blue Cross and Blue Shield of Massachusetts, Inc., 1 of whom shall be representative from the Massachusetts Medical Society, and 1 of whom shall be a representative from the Massachusetts Pharmacists Association Corp.

(c) The task force shall submit a report on its findings, along with any legislative recommendations, to the clerks of the house of representatives and the senate and the joint committee on health care financing not later than December 31, 2025.

SECTION 37D. (a) There shall be a special commission to investigate and assess the feasibility of state-sponsored prescription drug manufacturing or distribution in the commonwealth. The special commission shall consist of: the secretary of health and human services or a designee, who shall serve as chair; the commissioner of insurance or a designee; the executive director of the center for health information

and analysis or a designee; the executive director of the health policy commission or a designee; the president of the board of registration in pharmacy or a designee; the president of the University of Massachusetts or a designee; and 7 persons selected by the chair, 1 of whom shall be a representative of the Massachusetts Biotechnology Council, Inc., 1 of whom shall be a representative of the Massachusetts Health and Hospital Association, Inc., 1 of whom shall be an individual with expertise in biomedical research, 1 of whom shall be a physician licensed to practice medicine under section 2 of chapter 112 of the General Laws with expertise in the treatment of diabetes and related complications, 1 of whom shall be a physician licensed under said section 2 of said chapter 112 with expertise in the treatment of substance use disorders and related complications, 1 of whom shall be a physician licensed under said section 2 of said chapter 112 with expertise in the treatment of allergic reactions and related complications and 1 of whom shall be a physician licensed under said section 2 of said chapter 112 with expertise in the treatment of asthma and related complications.

(b) The special commission shall study and report on the feasibility of state-sponsored drug manufacturing or distribution in the commonwealth. The special commission shall: (i) study the feasibility of manufacturing commonly used pharmaceutical products and their analogs, including but not limited to insulin, naloxone, albuterol inhalers and epinephrine; (ii) assess the feasibility of providing the drug and drug analogs to low-income residents of the commonwealth at no-cost or at a reduced cost on a means-tested basis; (iii) assess the feasibility of partnerships between the commonwealth and other entities, including but not limited to, public universities and existing drug manufacturers, or partnerships between other appropriate entities and an existing drug manufacturer to leverage existing research and manufacturing capacity; (iv) study the example of the state of California's state-sponsored drug manufacturing and distribution initiative; and (v) issue a report on the commission's findings and policy recommendations.

(c) In its assessment, the commission shall consider the following factors: (i) the number of low-income residents who currently require the drugs listed in clause (i) of subsection (b); (ii) the ability of the commonwealth, the public university system or other appropriate entity, by themselves or in partnership with existing drug manufacturers, to produce the drugs listed in clause (i) of subsection (b); (iii) any long-term cost savings and revenue generation for the commonwealth; (iv) any long-term cost savings and other benefits to low-income residents of the commonwealth who would receive the drugs listed in clause (i) of subsection (b); (v) any costs to the commonwealth to produce the drugs listed in clause (i) of subsection (b), including additional administrative costs; (vi) state and federal regulatory or legal obstacles, including requirements for licensure, to the production and distribution of the drugs listed in clause (i) of subsection (b) within the commonwealth; (vii) available alternative methods for providing the drugs listed in clause (i) of subsection (b) to low-income residents of the commonwealth at low or no cost; (viii) options for capping copayments for the drugs listed in clause (i) of subsection (b) provided through private insurers; (ix) the potential for the commonwealth to engage in volume purchasing of the drugs listed in clause (i) of subsection (b) at reduced cost; (x) the mechanisms by which the commonwealth could establish a program to distribute the drugs listed in clause (i) of subsection (b) to residents of the commonwealth; (xi) opportunities to establish an interstate compact with other New England states to reduce costs; (xii) opportunities to establish a public entity to manage the manufacturing, purchasing or distribution of the drugs listed in clause (i) of subsection (b); (xiii) opportunities to establish a model facility to affordably

manufacture the drugs listed in clause (i) of subsection (b); and (xiv) opportunities to procure dedicated funding to support the manufacture and distribution of the drugs listed in clause (i) of subsection (b) to residents of the commonwealth.

(d) Not later than September 1, 2025, the commission shall submit its report to the clerks of the house of representatives and the senate, the joint committee on health care financing and the joint committee on public health.”.

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 141](#) in Supplement.]

Therefore the consolidated amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Lawn of Watertown; and on the roll call (Mr. Donato of Medford being in the Chair) 158 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 142](#) in Supplement.]

Therefore the bill (Senate, No. 2520, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments (for text of House amendments, see House document numbered 4910, published as amended).

Consolidated amendments adopted,—
yea and nay
No. 141.

Bill passed to be engrossed,—
yea and nay
No. 142.

Motion to Discharge a Certain Matter in the Orders of the Day.

Ms. Hogan of Stow being in the Chair,—

The Senate Bill relative to vacancies on the city of Lowell city council and school committee (Senate, No. 2878), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Ryan of Boston.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Walsh of Peabody moved to amend it, in section 1, in lines 42, 43 and 44, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(f) Except as provided for in this section, the nomination of candidates and the conduct of special elections held pursuant to this section shall be in accordance with all other provisions of the city charter and any general or special law. No preliminaries shall be held for special elections under this section.”.

The amendment was adopted; and the bill (Senate, No. 2878, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Lowell,—
vacancies.

Engrossed Bills.

Engrossed bills

Relative to vacancies on the city of Lowell city council and school committee (see Senate, No. 2878, amended) (which originated in the Senate);

Facilitating the appropriation and expenditure of community preservation funds for community housing purposes in the town of Wellesley (see House, No. 4042, amended); and

Relative to salary range transparency (see House, No. 4890);

(Which severally originated in the House);

Bills enacted.

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Recess.

At five minutes before five o'clock P.M. (Wednesday, July 24), on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Garballey of Arlington in the Chair.

Recess.