

HOUSE No. 1178

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 availability of prescription medication during an emergency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Gerard Cassidy</i>	<i>9th Plymouth</i>

HOUSE No. 1178

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 1178) of Louis L. Kafka and others relative to the availability of prescription medication during an emergency. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the availability of prescription medication during an emergency.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws is hereby amended by adding the following section:-

2 Section 236. (a) The department shall, in consultation with the board of registration in
3 pharmacy, the division of insurance, the office of Medicaid and the Massachusetts emergency
4 management agency, develop and publicize a statewide plan for ensuring the availability of
5 prescription medications during a state of emergency declared by the governor. The plan shall, at
6 a minimum:

7 (1) allow for early refills of prescriptions, if the current amount that a patient possesses is
8 not expected to last beyond 10 days of the date of the declaration of emergency; provided,
9 however, that a pharmacist shall confirm such prescription with the prescriber before each refill;

10 (2) ensure that vehicles delivering medications to pharmacies and hospitals shall be given
11 the same road access available to other emergency vehicles;

12 (3) coordinate among pharmaceutical manufacturers, wholesalers, distributors,
13 pharmacists and other industry stakeholders;

14 (4) avoid duplicative or redundant supply chain infrastructure; and

15 (5) create a safety net system, including a toll-free telephone number and a website for
16 persons to contact during the emergency for assistance in locating prescription medication, in the
17 event no medications are available to them locally.

18 (b) If the governor declares a state of emergency pursuant to section 2A, chapter 639 of
19 the acts of 1950, or any other applicable law, the commissioner shall implement the statewide
20 plan for ensuring the availability of prescription medications for the duration of the state of
21 emergency.