

HOUSE No. 1747

The Commonwealth of Massachusetts

PRESENTED BY:

Smitty Pignatelli and Joan B. Lovely

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 helping overdosing persons in emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>James M. Kelcourse</i>	<i>1st Essex</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>

<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and</i>

	<i>Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>

HOUSE No. 1747

By Representative Pignatelli of Lee and Senator Lovely, a joint petition (accompanied by bill, House, No. 1747) of Smitty Pignatelli and others relative to requirements and procedures necessary for first responders to provide urgent help to persons overdosing from opioids. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act helping overdosing persons in emergencies.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith certain requirements and procedures necessary for first responders to provide urgent help to persons overdosing from opioids , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

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 201 of chapter 111 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the first paragraph the following
3 paragraph:-

4 Such first aid training shall also require instruction to administer opioid antagonists,
5 which may include naloxone, in overdosing emergencies. The instruction shall meet the
6 standards prescribed by the department. Police and fire members, shall satisfactorily complete
7 an initial instruction as soon as practical, but in no event more than 1 year after the date of their
8 employment. Notwithstanding, police and fire members who began their employment before the
9 effective date of the training requirement prescribed under this paragraph, shall satisfactorily

10 complete their instruction as soon as practical, but in no event more than 1 year after said date.
11 Satisfactory completion of a refresher course in administering opioid antagonists as approved by
12 the department shall be required every 3 years, unless the department by regulation establishes
13 an earlier time requirement.

14 SECTION 2. Said chapter 111 is hereby amended by inserting after section 201, the
15 following section:-

16 Section 201½. (a) As used in this section, the following words, unless the context clearly
17 requires otherwise, shall have the following meanings:-

18 "Emergency first response vehicle", any official government motor vehicle and motorized
19 watercraft, which is intended and primarily operated to provide for the transport and rapid
20 response of first responders to emergencies involving the public.

21 "First responders", members of police and fire departments, members of the state police
22 participating in highway patrol, and members of emergency reserve units of a volunteer fire
23 department or fire protection district, who are trained to administer an opioid antagonist pursuant
24 to the first aid training requirements under section 201; provided however, that first responders
25 shall not include police officers, fire fighters and persons engaged in police and fire work whose
26 duties are primarily clerical or administrative.

27 "Opioid antagonist", Naloxone or other drug approved by the federal Food and Drug
28 Administration as a competitive narcotic antagonist used in the reversal of overdoses caused by
29 opioids and that is in a form approved by the commissioner for use by first responders; provided
30 any dosage of such drug, including any integrated delivery system to administer the drug (i) is
31 not expired under its labelled expiration date, and (ii) has no damage or other condition,

32 determinable by visual inspection or known information, that would affect adversely the drug's
33 use or suitability.

34 (b) A governmental entity or organization shall be responsible to provide its first
35 responders when on duty with an opioid antagonist for use in opioid overdose emergencies. This
36 requirement shall be complied with by implementing one, or any part or combination, of the
37 following methods: (i) equipping with an opioid antagonist any emergency first response vehicle
38 that it owns or has care and control, or (ii) supplying an opioid antagonist to its first responders
39 to be carried by such persons when on duty; provided the selected method when implemented
40 shall provide all first responders with reasonable direct access to an opioid antagonist in
41 overdose emergencies.

42 (c) The requirement of a government entity or organization to provide its first responders
43 with an opioid antagonist under this section, shall be subject to such drug's availability, provided
44 the government entity or organization has taken reasonable measures as soon as practicable, to
45 acquire and replenish its supply of an obtainable opioid antagonist to comply with this
46 requirement.

47 (d) No cost shall be assessed to first responders by their employing or appointing
48 governmental entity or organization for any opioid antagonist required under this section to be
49 supplied or made available to first responders, including any device necessary for first
50 responders to carry the drug when on duty, which shall be provided by such entity or
51 organization.

52 (e) The immunity provisions established under subsection (g) of section 19B of
53 chapter 94C shall also apply to first responders who administer an opioid antagonist in
54 accordance with to said subsection.

55 SECTION 3. Subsections (b) through (d), inclusive, of Section 2 shall take effect 8
56 months after the passage of this act.