

HOUSE No. 1925

The Commonwealth of Massachusetts

PRESENTED BY:

Geoff Diehl

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 establishing provisions for the return of expired pharmaceuticals.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-----------------------------|--|
| <i>Geoff Diehl</i> | <i>7th Plymouth</i> |
| <i>Timothy R. Madden</i> | <i>Barnstable, Dukes and Nantucket</i> |
| <i>Leonard Mirra</i> | <i>2nd Essex</i> |
| <i>Shaunna L. O'Connell</i> | <i>3rd Bristol</i> |
| <i>Leah Cole</i> | <i>12th Essex</i> |
| <i>Kevin J. Kuros</i> | <i>8th Worcester</i> |

HOUSE No. 1925

By Mr. Diehl of Whitman, a petition (accompanied by bill, House, No. 1925) of Geoff Diehl and others relative to establishing provisions for the return of expired pharmaceuticals. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1933 OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act establishing provisions for the return of expired pharmaceuticals.

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.

2 Chapter 94C of the General Laws is hereby amended by inserting after Section 15, the
3 following Section:-

4 Section 15A

5 Provisions for the return of outdated drugs.

6 (a) Persons who manufacture controlled substances shall make adequate provision for the
7 return of outdated drugs from pharmacies, both full and partial containers, excluding biological,
8 infused or intravenously injected drugs and drugs that are inhaled during surgery, within six (6)
9 months after the labeled expiration date, for prompt full credit or refund.

10 (b) Any person who is engaged in the wholesale drug business licensed under section
11 36A of chapter 112 shall implement and administer the return policies established by the
12 manufacturer.

13 (c) Manufacturers will provide the Department of Public Health with information
14 regarding said return policy, in a format to be determined by the Commissioner.

15 (d) Failure to comply with the provisions of this section will permit the Commissioner to
16 list the manufacturer's products as ineligible for use in product selection for any state funded
17 program.

18 SECTION 2.

19 The Commissioner shall promulgate regulations to enforce this act.