

HOUSE No. 1966

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey and Michael Barrett

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 passage of the accompanying bill:

An Act restricting the sale of tobacco products at health care institutions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Michael Barrett</i>	<i>Third Middlesex</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

HOUSE No. 1966

By Mr. Garballey of Arlington and Senator Barrett, a joint petition (accompanied by bill, House, No. 1966) of Sean Garballey and others for legislation to restrict the sale of tobacco products at locations where health professionals are employed. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE

HOUSE
 , NO. 591 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act restricting the sale of tobacco products at health care institutions.

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. Chapter 112 of the Massachusetts General Laws is hereby amended at the end
- 2 thereof by inserting after section 61 the following new section:-
- 3
- 4 Section 61A
- 5
- 6 Definitions.
- 7
- 8 “Health care institution” as used in this section shall mean any individual, partnership,
- 9 association, corporation or trust or any person or group of persons that provides health care
- 10 services and employs health care providers licensed or subject to licensing by the Massachusetts
- 11 Department of Health under M.G.L. c. 112 or a retail establishment that provides pharmaceutical
- 12 goods and services and is subject to the provisions of 247 CMR 6.00.. Health care institutions
- 13 include, but are not limited to, hospitals, clinics, health centers, pharmacies, drug stores, doctor
- 14 and dentist offices.
- 15
- 16 “Retail establishment” as used in this section shall mean any store that sells goods or articles of

17 personal services to the public.

18

19 “Tobacco products” as used in this section shall mean cigarettes, cigars, chewing tobacco, pipe
20 tobacco, bidis, snuff or tobacco in any of its forms.

21

22 (b) Prohibition of Tobacco Sales

23

24 (1) No health care institution located in Massachusetts shall sell or cause to be sold tobacco
25 products.

26

27 (2) No retail establishment that operates or has a health care institution within it, such as a
28 pharmacy or drug store, shall sell or cause to be sold tobacco products.

29

30

31 (3) Nothing in this section shall preempt further limitation of tobacco use by the
32 commonwealth or any department, agency or political subdivision of the commonwealth.

33

34 Section 2. The Act shall take effect on December 31, 2013.

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