

HOUSE No. 2219

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 non-opioid alternatives in pain treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/17/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/19/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/26/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>

HOUSE No. 2219

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 2219) of James Arciero and others relative to non-opioid alternatives in pain treatment. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to non-opioid alternatives in pain treatment.

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 (a) The Legislature finds that every competent adult has the fundamental right of self-
3 determination regarding decisions pertaining to his or her own health, including the right to
4 refuse an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s.
5 812.

6 (b) The department shall develop and publish on its website an educational pamphlet
7 regarding the use of nonopioid alternatives for the treatment of pain. The pamphlet shall, at a
8 minimum, include:

9 1. Information on available nonopioid alternatives for the treatment of pain, including
10 nonopioid medicinal drugs or drug products and nonpharmacological therapies.

11 2. The advantages and disadvantages of the use of nonopioid alternatives.

12 (c) Except when a patient is receiving care in a hospital critical care unit or emergency
13 department or a patient is receiving hospice services under Part I, Title XVI, Chapter 111,
14 Section 227 of Massachusetts General Law, before providing care requiring the administration of
15 anesthesia involving the use of an opioid drug listed as a Schedule II controlled substance in s.
16 893.03 or 21 U.S.C. s. 812, or prescribing or ordering an opioid drug listed as a Schedule II
17 controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of pain, a health care
18 practitioner who prescribes or orders an opioid drug must:

19 1. Inform the patient or the patient's representative of available nonopioid alternatives for
20 the treatment of pain, which may include nonopioid medicinal drugs or drug products,
21 interventional procedures or treatments, acupuncture, chiropractic treatments, massage therapy,
22 physical therapy, occupational therapy, or any other appropriate therapy as determined by the
23 health care practitioner.

24 2. Discuss with the patient or the patient's representative the advantages and
25 disadvantages of the use of nonopioid alternatives, including whether the patient is at a high risk
26 of, or has a history of, controlled substance abuse or misuse and the patient's personal
27 preferences.

28 3. Provide the patient or the patient's representative with a printed copy of the
29 educational pamphlet described in paragraph (b).

30 4. Document the nonopioid alternatives considered in the patient's record.