

HOUSE No. 2469

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth A. Malia

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 to enhance access to prescription information and overdose reporting for care coordination.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 2469

By Ms. Malia of Boston, a petition (accompanied by bill, House, No. 2469) of Elizabeth A. Malia and others for legislation to further regulate the collection and reporting of data from the electronic monitoring of the prescribing and dispensing of controlled substances programs. Public Health.

The Commonwealth of Massachusetts

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

An Act to enhance access to prescription information and overdose reporting for care coordination.

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 24A of Chapter 94C of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking subsection (g) and inserting in place thereof the
3 following:

4 (g) The department may, at its initiative, provide data from the prescription monitoring
5 program to practitioners in accordance with section 24; provided, however, that healthcare
6 providers, as defined in Section 1 of Chapter 111, shall be able to access the data directly
7 through a secure electronic medical record, health information exchange, or other similar
8 software or information systems connected to the prescription monitoring program for the
9 purposes of: (i) improving ease of access and utilization of such data for treatment, diagnosis, or
10 healthcare operations; (ii) supporting integration of such data within the electronic health records
11 of a healthcare provider for purposes of treatment, diagnosis, or healthcare operations; or, (iii)

12 allowing healthcare providers and their vendors to maintain such data for the purposes of
13 compiling and visualizing such data within the electronic health records of a healthcare provider
14 that supports treatment, diagnosis, or healthcare operations.

15 SECTION 2: Section 1 of Chapter 55 of the Acts of 2015, as most recently amended by
16 Section 136 of Chapter 133 of the Acts of 2016, is hereby further amended by striking out the
17 first paragraph and inserting in place thereof the following paragraph:-

18 Notwithstanding any general or special law to the contrary, the secretary of health and
19 human services, in collaboration with the department of public health, shall conduct or provide
20 for an examination of the prescribing and treatment history, including court-ordered treatment or
21 treatment within the criminal justice system, of persons in the commonwealth who suffered fatal
22 or nonfatal opiate overdoses in calendar years 2013 to 2020, inclusive. Any report or
23 supplemental reports resulting from this examination shall provide any data in an aggregate and
24 de-identified format.

25 SECTION 3: Section 1 of Chapter 55 of the Acts of 2015, as most recently amended by
26 Section 137 of Chapter 133 of the Acts of 2016, is hereby further amended by striking out the
27 fourth paragraph and inserting in place thereof the following paragraph:-

28 The report, which shall be publicly available, shall be filed with the clerks of the senate
29 and house of representatives, the house and senate chairs of the joint committee on mental health
30 and substance abuse, the joint committee on public health, the joint committee on health care
31 financing and the house and senate committees on ways and means. The secretary of health and
32 human services may publish supplemental reports on the trends identified through its
33 examination; provided, however, that any supplemental report shall be filed not later than July 1,

34 2021 and shall be filed with the clerks of the senate and house of representatives, the house and
35 senate chairs of the joint committee on mental health and substance abuse, the joint committee
36 on public health, the joint committee on health care financing and the house and senate
37 committees on ways and means.