

SENATE No. 1213

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 the prescription monitoring program.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-----------------------|---|-----------------|
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> | |
| <i>Adam G. Hinds</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> | <i>2/2/2017</i> |

SENATE No. 1213

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1213) of John F. Keenan and Adam G. Hinds for legislation relative to the prescription monitoring program. Public Health.

The Commonwealth of Massachusetts

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

An Act relative to the prescription monitoring program.

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, as amended by chapter 52 of the acts of 2016,
2 is hereby further amended by inserting after subsection (c) the following new subsection:-

3 (c^{1/2}) The department shall establish, by rule or regulation, a process by which to include
4 information about the administration of opioid maintenance treatment in the prescription
5 monitoring program, when the inclusion of such information does not conflict with state or
6 federal privacy rules. The purpose of this subsection shall be to ensure that licensed professionals
7 authorized to prescribe controlled substances receive information, through utilization of the
8 prescription monitoring program, about an individual patient’s participation in opioid
9 maintenance treatment prior to issuing a new prescription for an opioid substance other than the
10 substance used for opioid maintenance treatment.

11 SECTION 2. Section 18 of chapter 111E, as appearing in the 2014 Official Edition, is
12 hereby amended by inserting after subsection (a) the following new subsection:-

13 (a½) For each facility that is an opioid treatment program, as defined under 42 CFR Part
14 8, the facility shall present to each individual entering treatment a form that allows the individual
15 to consent to the release of information, through the prescription monitoring program, about the
16 administration of opioid maintenance treatment at the facility. Said consent form shall be
17 accompanied by information clearly explaining that such consent is not required but is
18 encouraged to improve coordination of services; and by information on how the individual may
19 complete and return the form to the facility or to the department of public health if they elect to
20 give such consent. A record of the individual's election relative to this form shall be maintained
21 as part of the record of treatment required by this section. The same form and information shall
22 be presented to the individual upon their discharge from the facility.