

**SENATE . . . . . No. 1371**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul R. Feeney***

*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 testing protocol and care for victims of date rape drugs.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/8/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/23/2023</i>

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By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1371) of Paul R. Feeney, Patrick M. O'Connor and Patrick Joseph Kearney for legislation to establish testing protocol and care for victims of date rape drugs. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act establishing testing protocol and care for victims of date rape drugs.

*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 2VVVV of Chapter 29 of the General Laws, as appearing in the  
2   2020 Official Edition, is hereby amended by striking out clause (vii) and inserting in place  
3   thereof the following three causes:-

4           (vii) costs associated with developing and implementing a testing standard for patient-  
5   reported involuntary consumption of drugs commonly used for drug facilitated sexual assault,  
6   whether or not a sexual assault has occurred, when presenting at a hospital facility in the  
7   Commonwealth; (viii) costs associated with establishing an trauma-based empathy training  
8   program for nurses examining patients reporting involuntary consumption of said drugs when  
9   presenting at a hospital facility in the commonwealth;(ix) other services needed by the sexual  
10   assault nurse examiner program to support program operations and development.

11           SECTION 2. (a) There shall be within the department of public health, division of sexual  
12   health and youth development a date rape drug response and intervention task force to study,

13 report, and recommend regulations relative to patient access to hospital care for incidents of  
14 suspected or confirmed date rape drug ingestion.

15 (b) The date rape drug response and intervention task force shall consist of the following  
16 members or their designees: the commissioner of the department of public health, who shall  
17 serve as chair; the secretary of health and human services; and 9 persons to be appointed by the  
18 chair with representation from relevant medical professionals and members of relevant  
19 community organizations.

20 (c) The taskforce shall be tasked with (i) formulating the definition of date rape drugs; (ii)  
21 collecting data and tracking confirmed incidents of date rape drug ingestion; (iii) issuing  
22 recommendations on standardizing care, and testing at hospital facilities across the  
23 commonwealth for suspected date rape drug ingestion regardless of whether or not a sexual  
24 assault has occurred.

25 (d) According to the definition of date rape drugs established by the taskforce, the  
26 department of public health shall produce a list of all qualifying date rape drugs and publish on  
27 the department webpage. The department shall provide resources on qualifying date rape drugs  
28 to serve as an informational source for the general public on the department webpage. The  
29 department shall provide on said website all available resources to individuals who suspect they  
30 have been a victim of involuntary consumption of a drug commonly used for facilitated sexual  
31 assault.

32 (e) The department shall require all hospitals to issue a urine sample or relevant drug  
33 testing sample to test for the presence of a date rape drug upon request by the patient.

34           (f) The task force shall prepare its findings and recommendations, together with drafts of  
35 legislation or regulations necessary to carry those recommendations into effect, by filing the  
36 same with the clerks of the senate and house of representatives and the joint committee on public  
37 health not later than 1 year after the effective date of this act.