

SENATE, NO. 2509

[Senate, June 23, 2010 - New draft of Senate, No. 303 reported from the committee on Elder Affairs.]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND TEN

AN ACT RELATIVE TO PSYCHOTROPIC MEDICATIONS.

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 111 of the General Laws, as appearing in the 2006 Official

2 Edition, is hereby amended by inserting after section 72Z the following section:-

3 Section 72AA.

4 **SECTION 1.** Definitions.

5 The following definitions shall apply;

6 “psychotropic medication” is a chemical substance that acts primarily upon the central nervous

7 system where it alters brain function, resulting in temporary changes in perception, mood,

8 consciousness and behavior;

9 **SECTION 2.** Every resident in a nursing home, rest home, or other long term care
10 facility that is prescribed psychotropic medications, shall have the facility in which they reside
11 first obtain informed consent from the resident, the resident's health care proxy, or a court
12 appointed Rogers guardian.

13 The prescribing physician shall have a conversation with the resident, health care proxy or court
14 appointed Rogers guardian about the psychotropic at the time of the prescription or at the next
15 visit. The prescribing physician shall document the conversation in the resident's records at the
16 facility.