

SENATE No. 00291

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Tolman

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 passage of the accompanying bill:

An Act making technical corrections to the lockbox provision of the Commonwealth's prescription monitoring program..

PETITION OF:

NAME:

Steven A. Tolman

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

SENATE No. 00291

By Mr. Tolman, a petition (accompanied by bill, Senate, No. 291) of Steven A. Tolman for legislation to make a technical correction to the lockbox provision of the Commonwealth's prescription monitoring program. [Public Health].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making technical corrections to the lockbox provision of the Commonwealth's 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 11. (a) For the purposes of this section, the following words shall, unless the
2 context clearly requires otherwise, have the following meanings:-

3 “Board”, the board of registration in pharmacy in section 22 of chapter 13 of the General
4 Laws.

5 “Lock box”, a box with a locking mechanism that cannot be tampered with or opened
6 without extreme force.

7 “Pharmacy”, a facility under the direction or supervision of a registered pharmacist which
8 is authorized to dispense controlled substances; provided, however, pharmacy shall not include
9 an institutional pharmacy or a pharmacy department except as otherwise provided in 247 CMR.

10 “Prescription drug”, all drugs which, under federal law, are required, prior to being
11 dispensed or delivered, to be labeled with the statement “Caution, Federal law prohibits
12 dispensing without prescription" or a drug which is required by applicable federal or state law or
13 regulation to be dispensed pursuant only to a prescription drug order.

14 “Sign”, shall be at least 8 inches by 10 inches and include legibly printed font with
15 information regarding lock boxes being sold within the store.

16 “Encourage”, shall be understood to mean that a pharmacist make consumers aware of
17 lock boxes either by verbal recognition or by directing the consumer to read the applicable sign.

18 (b) A pharmacy registered in the commonwealth to dispense schedule II, III, IV or V
19 prescription drugs shall make available prescription lock boxes for sale at each store location.
20 The lock boxes shall be available within 50 feet of the pharmacy counter and shall be displayed
21 conspicuously within the pharmacy area. . Pharmacies shall maintain a stock of lockboxes and
22 encourage consumers buying over-the-counter or prescription medications to purchase one.

23 (c) A pharmacy registered in the commonwealth to dispense schedule II, III. IV or V
24 prescription drugs shall display a sign on or near the pharmacy counter.