

SENATE No. 908

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 regulating the reporting of opioid overdoses.

PETITION OF:

NAME:

Steven A. Tolman

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01335 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REGULATING THE REPORTING OF OPIOID OVERDOSES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws, as appearing in the 2006 2 Official Edition, is hereby
2 amended by inserting after section 12A the following section:— Section 12A¹/₄ Every physician
3 attending or treating an overdose case that includes any drug defined as Schedule I, II, III, IV, V
4 and VI in Section 3 of Chapter 94C, or an overdose of alcohol and which was treated in a
5 hospital, sanatorium or other health care facility licensed by the department of public health or
6 the department of mental health, the manager, superintendent or other person in charge thereof,
7 shall report such a case within 48 hours of treatment to either the commissioner of the
8 department of public health or the commissioner of the department of mental health under which
9 such physician, hospital, sanatorium or health care facility is licensed. The reports to the
10 commissioner of the department of public health or commissioner of the department of mental
11 health shall include the following information:— agent of abuse, and demographic
12 characteristics as they pertain to the patient including city or town, age race and gender of the
13 patient; provided, however, that the physician making the report shall not disclose the person's

14 name or address or any other information concerning the person's identity. Whoever violates any
15 provision of this section shall be punished by a fine of not less than \$50 nor more than \$100. The
16 department of public health, in consultation with the department of mental health, shall
17 promulgate regulations to carry out the provisions of this section.