

HOUSE No. 2125

By Mr. Kafka of Stoughton, petition of Louis L. Kafka that the Commissioner of Public Health be directed to establish regulations for the return to pharmacies of certain unused medication by health care facilities. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT PROVIDING FOR UNUSED MEDICATION RETURN BY HEALTH CARE FACILITIES.

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 111 of the General Laws, as appearing in the 2002 Offi-
2 cial Edition, is hereby amended by striking out section 25I and
3 inserting in place the following section:—
4 Section 25I. The commissioner shall promulgate regulations
5 requiring that either a resident or consultant pharmacist in a health
6 care facility shall return to the pharmacy from which it was pur-
7 chased all unused medication; provided that such medication is
8 sealed in unopened, individually packaged units and within the rec-
9 ommended period of shelf life, and provided that such medication is
10 not a Schedule I or II controlled substance as defined in Chapter
11 94C. Such pharmacies shall accept all unused medications regardless
12 of whether such medications are included on any list of unit-dose
13 drugs issued by the Office of Medicaid. Any rules and regulations
14 issued by the commissioner shall permit the pharmacy to which such
15 medication is returned to restock and redistribute such medication,
16 and shall be required to reimburse or credit the purchaser for any
17 such returned medication.