

HOUSE No. 2192

By Ms. Malia of Boston, petition of Elizabeth A. Malia and others relative to ensuring priority for health care providers in the distribution of certain vaccines. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Elizabeth A. Malia
Susan C. Fargo
Denise Provost

Joseph R. Driscoll
Kay Khan

In the Year Two Thousand and Seven.

AN ACT RELATING TO PRIORITY FOR HEALTH CARE PROVIDERS IN THE DISTRIBUTION OF CERTAIN VACCINES.

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 2004 Offi-
2 cial Edition, is hereby amended by inserting the following new
3 section:—

4 Section X. (a) A person or corporation who engages in the whole-
5 sale distribution of prescription drugs in this state shall give priority
6 to a physician or other licensed health care provider authorized to
7 administer influenza vaccine over retail establishments in filling
8 orders for influenza vaccine.

9 (b) A manufacturer of prescription drugs shall give priority to a
10 physician or other licensed health care provider authorized to admin-
11 ister influenza vaccine over retail establishments in filling orders for
12 influenza vaccine.

13 (c) The commissioner of the Department of Public Health shall
14 adopt rules to enforce this section. The rules must ensure, to the
15 extent practicable, that physicians or other licensed health care
16 providers authorized to administer influenza vaccine receive
17 influenza vaccine in an amount sufficient to administer to the
18 patients served by the health care providers.