

**HOUSE . . . . . No. 2038**

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The Commonwealth of Massachusetts

PRESENTED BY:

**Viriato Manuel deMacedo**

*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 Relative to Oxycontin and other Schedule II Controlled Substances.

PETITION OF:

NAME:

Viriato Manuel deMacedo

DISTRICT/ADDRESS:

1st Plymouth

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT RELATIVE TO OXYCONTIN AND OTHER SCHEDULE II CONTROLLED SUBSTANCES.

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

SECTION 1. Section 2 of chapter 112 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding, in the sixth paragraph, at the end thereof, the following: - Compliance with section 51A of this chapter shall be a requirement and condition precedent to the renewal of licenses issued by the board.

SECTION 2. Section 51A of chapter 112 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding, at the end thereof, the following text:-

The board shall require that said continuing education include four credit hours studying the prescription of schedule II controlled substances, as defined by section 3 of Chapter 94C. The credit hours must include the following:

- (a) study of screening processes for potential abusers of schedule II controlled substances;
- (b) study of early identification and brief interventions techniques. Brief intervention is intervention for those who have the potential for abuse or who are beginning to have signs that they are abusing schedule II controlled substances. Brief

intervention techniques prevent individuals from becoming increasingly dependent on schedule II controlled substances;

(c) study of monitoring processes for those who have been prescribed schedule II controlled substances, in order to prevent the inappropriate use of schedule II controlled substances;

(d) study of pain medications that serve as alternatives to schedule II controlled substances for those likely to be schedule II controlled substances abusers.

SECTION 3. Notwithstanding any general or special law to the contrary, before prescribing a schedule II controlled substance a patient, all physicians and dentists within the Commonwealth shall issue an information packet to the patient concerning oxycontin and other schedule II controlled substances. The patient must read said packet in the presence of the physician or dentist, and must sign an attached sheet affirming that they have done so. Physicians and doctors must keep all signed forms for at least two years, and may be required to turn over such forms to the department of public health at the department's request.

SECTION 4. Notwithstanding any general or special law to the contrary, the department of public health, in collaborating with the United States Drug Enforcement Administration, shall prepare, print, and deliver an information packet to be distributed to patients concerning oxycontin and other schedule II controlled substances and an additional sheet, to be signed by patients, affirming that they have read the information contained in the packet. The information packets must include the following:

(1) The danger of taking schedule II controlled substances improperly.

(2) The risk of addiction to schedule II controlled substances, particularly for those

prone to addictions or with a history of addiction.

(3) The danger of giving prescriptions for schedule II controlled substances to those to whom the substances were not prescribed. This includes giving oxycontin and other schedule II controlled substances to friends and family members for whom the medication was not prescribed.