

SENATE NO. 1222

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 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting, after section
2 220, as added by chapter 194 of the acts of 2006, the following new section:-

3 Section 221. (a) A person or corporation who engages in the wholesale distribution of
4 prescription drugs in this state shall give priority to a physician or other licensed health care
5 provider authorized to administer influenza vaccine over retail establishments in filling orders
6 for influenza vaccine.

7 (b) A manufacturer of prescription drugs shall give priority to a physician or other licensed
8 health care provider authorized to administer influenza vaccine over retail establishments in
9 filling orders for influenza vaccine.

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