



The Commonwealth of Massachusetts

Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Professions Licensure
Drug Control Program
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Circular: DCP 19-2-106

TO: Massachusetts Registered Naloxone Programs
FROM: James Lavery, Director, Bureau of Health Professions Licensure
DATE: February 20, 2019
SUBJECT: Memorandum Requirements to Exchange or Convey Unexpired Naloxone

Purpose

As signed into law by Governor Baker, *An Act for Prevention and Access to Appropriate Care and Treatment of Addiction*, includes a provision that seeks to ensure the availability and use of naloxone by allowing unexpired naloxone to be exchanged or conveyed between municipalities and non-municipal public agencies registered with the Department's Drug Control Program (DCP) for the purposes of storing and administering naloxone (the "registered entity" or "registered entities")¹. The law requires such an exchange be pursuant to a memorandum between the registered entities, as prescribed by the Department. This circular letter sets forth the requirements for any memorandum documenting the exchange or conveyance of naloxone between registered entities.

Agreement to Convey or Exchange

Naloxone may only be exchanged or conveyed between registered entities for the purpose of ensuring the availability and use of unexpired naloxone. The exchange or conveyance must be recorded in a memorandum between the two programs. Such memorandum must be retained by the sending and receiving programs and shall be subject to inspection by DCP. At a minimum, the memorandum must include the following information:

1. Name and Massachusetts Controlled Substance Registration (MCSR) # of the registered entity sending naloxone;
2. Name and MCSR# of the registered entity receiving naloxone;
3. Number of unexpired naloxone kits being conveyed or exchanged;
4. For each naloxone kit conveyed or exchanged, the:
 - a. Date conveyed or exchanged;
 - b. Lot number; and
 - c. Expiration date
5. Statement indicating the registered entity receiving naloxone intends to use the kits prior to expiration date; and

Contact Information

Questions or concerns regarding this information should be directed to DCP: dcp.dph@state.ma.us.

¹ See: M.G.L. c. 94C, §19B½, as added by St. 2018, c. 208, §32.