SENATE DOCKET, NO. 669 FILED ON: 1/17/2013

SENATE . . . . . No. 1090

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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:

An Act to ensure safe medication administration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Marc R. Pacheco	*First Plymouth and Bristol*
Sarah K. Peake	*4th Barnstable*
Denise C. Garlick	*13th Norfolk*

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SENATE . . . . . No. 1090

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 1090) of Marc R. Pacheco, Sarah K. Peake and Denise C. Garlick for legislation to ensure safe medication administration. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1156* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act to ensure safe medication administration.

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 7 of chapter 94C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after subsection (h), the following new subsection:-

(i) Notwithstanding any general or special law to the contrary, only a dentist, nurse, physician, podiatrist, perfusionist, optometrist or veterinarian licensed as a professional by chapter 112 of the General Laws, or any student enrolled in a course of study for said profession acting under the supervision of said licensed person and in accordance with the General Laws, may administer any controlled substance in schedule II, III , IV, V or VI of Section 3 of chapter 94C of the General Laws. This shall not be construed to prohibit the following: (1) self-administration (2) administration of epinephrine pens in an emergency; (3) administration of controlled substances by emergency medical system personnel or (4) administration of controlled substances by any ill, injured or infirm person's domestic partner or family member(s). For the purposes of this section, "self-administration" shall include the ability of any ill, injured or infirm person who has sufficient understanding of their prescribed controlled substance(s); the indications and contraindications for such controlled substance(s); a recollection of the administration schedule f or such controlled substance(s) and an ability to communicate this knowledge and the experienced effect of having taken a controlled substance, to supervise an unlicensed person in the direct administration of such controlled substance(s) to them.