

HOUSE No. 1307

The Commonwealth of Massachusetts

PRESENTED BY:

Smitty Pignatelli

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 adoption of the accompanying bill:

An Act establishing a study to examine the feasibility of state manufactured generic prescription drugs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>2/16/2021</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/26/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/26/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>3/2/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>

HOUSE No. 1307

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 1307) of Smitty Pignatelli and others that the Health Policy Commission conduct a study relative to the manufacture of generic prescription drugs by the Commonwealth. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing a study to examine the feasibility of state manufactured generic prescription drugs.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a study to examine the feasibility of state manufactured generic prescription drugs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 Notwithstanding any general or special law to the contrary, the health policy commission
2 shall conduct a study examining the feasibility of establishing a program for the commonwealth
3 to manufacture generic prescription drugs.

4 The study shall examine the factors that most greatly contribute to increasing drug costs
5 in the commonwealth, the ways in which the cost of generic prescription drugs factors into
6 MassHealth spending and healthcare costs across the Massachusetts healthcare system and
7 whether establishing a state-run generic prescription drug brand manufacturing program would
8 be reasonable and effective at reducing drug prices and the cost of healthcare in Massachusetts
9 including, but not limited to: (i) factors that contribute towards the increase of generic

10 prescription drug prices; (ii) identifying generic prescription drugs that comprise the greatest
11 proportion of generic prescription drug spending; (iii) identifying generic prescription drugs that
12 comprise the greatest proportion of generic prescription drug price increases; (iv) the competitive
13 landscape of generic drug manufacturing and its effects on generic prescription drugs prices in
14 Massachusetts; (v) the degree of competition in regards to the generic prescription drugs that
15 comprise the greatest degree of spending; and (vi) the potential impact on prescription drug costs
16 and healthcare costs by establishing a state-run program to manufacture generic prescription
17 drugs.

18 The commission shall submit a report of its findings and recommendations to the
19 governor, speaker of the house, senate president, clerks of the house and senate, chairs of the
20 joint committee on ways and means and chairs of the joint committee on health care finance no
21 later than 1 year after the passage of this act. Recommendations of the report shall include, but
22 not be limited to: (i) a cost-benefit analysis of establishing a state-run program to manufacture
23 generic prescription drugs; (ii) whether such a program would be sensible for the commonwealth
24 to establish; (iii) a plan for the establishment of such a program if believed to be effective; (iv)
25 the generic prescriptions drugs that would be most beneficial to manufacture; and (v) any
26 legislative recommendations.