

**HOUSE . . . . . No. 2105**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Peter J. Koutoujian**

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*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 mandatory reporting of overdoses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex
Denise Provost	27th Middlesex
Allen J. McCarthy	7th Plymouth
Jennifer L. Flanagan	Worcester and Middlesex
Bruce E. Tarr	First Essex and Middlesex
Kathi-Anne Reinstein	16th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4563 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO MANDATORY REPORTING OF OVERDOSES.

*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 112 of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by inserting after section 12A the following section:—
- 3           Section 12A1/4 Every physician attending or treating an overdose case that includes any drug  
4 defined as Schedule I, II, III, IV, V and VI in section 3 of chapter 94C, or an overdose of alcohol  
5 and which was treated in a hospital, sanatorium or other health care facility licensed by the  
6 department of public health or the department of mental health, the manager, superintendent or  
7 other person in charge thereof, shall report such a case within 48 hours of treatment to either the  
8 commissioner of the department of public health or the commissioner of the department of  
9 mental health under which such physician, hospital, sanatorium or health care facility is licensed.
- 10          The reports to the commissioner of the department of public health or commissioner of the  
11 department of mental health shall include the following information: agent of abuse, and  
12 demographic characteristics as they pertain to the patient including city or town, , age race and  
13 gender of the patient; provided, however, that the physician making the report shall not disclose  
14 the person's name or address or any other information concerning the person's identity. Whoever  
15 violates any provision of this section shall be punished by a fine of not less than 50 nor more  
16 than\$100.
- 17          The department of public health, in consultation with the department of mental health, shall  
18 promulgate regulations to carry out the provisions of this section.