

**HOUSE . . . . . No. 02364**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Louis L. Kafka*

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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 providing for unused medication return by health care facilities.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

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*Louis L. Kafka*

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*8th Norfolk*

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*Stephen R. Canessa*

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*12th Bristol*

# HOUSE . . . . . No. 02364

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2364) of Canessa and Kafka that the Commissioner of Public Health be directed to establish regulations for the return to pharmacies of certain unused medication by health care facilities Joint Committee on Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 2072 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act providing for unused medication return by health care facilities.

□.

*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, as appearing in the 2002 Official  
2 Edition, is hereby amended by striking out section 25I and inserting in place the following  
3 section:  
  
4 Section 25I. The commissioner shall promulgate regulations requiring that either a resident or  
5 consultant pharmacist in a health care facility shall return to the pharmacy from which it was  
6 purchased all unused medication; provided that such medication is sealed in unopened,  
7 individually packaged units and within the recommended period of shelf life, and provided that

8 such medication is not a Schedule I or II controlled substance as defined in Chapter 94C. Such  
9 pharmacies shall accept all unused medications regardless of whether such medications are  
10 included on any list of unit-dose drugs issued by the Office of Medicaid. Any rules and  
11 regulations issued by the commissioner shall permit the pharmacy to which such medication is  
12 returned to restock and redistribute such medication, and shall be required to reimburse or credit  
13 the purchaser for any such returned medication.