

**SENATE . . . . . No. 1219**

---

The Commonwealth of Massachusetts

PRESENTED BY:

***Karen E. Spilka***

*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 requiring disclosure of financial incentives to prescribe or dispense certain drugs.

PETITION OF:

NAME:

*Karen E. Spilka*

DISTRICT/ADDRESS:

*Second Middlesex and Norfolk*

**SENATE . . . . . No. 1219**

---

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1219) of Karen E. Spilka for legislation to require disclosure of financial incentives to prescribe or dispense certain drugs. Public Health.

---

The Commonwealth of Massachusetts

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act requiring disclosure of financial incentives to prescribe or dispense certain drugs.

*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. Section 12D of Chapter 112 of the General Laws is hereby amended by  
2 inserting after “prescription”, in line 13, the following sentence: -

3 If any natural person or entity, including, without limitation, a carrier or third party  
4 administrator, including a pharmacy benefits manager, provides or offers to provide any financial  
5 inducement or reward to a practitioner who switches to a therapeutically equivalent drug in place  
6 of a drug prescribed by the practitioner, the prescriber shall disclose that fact to the patient.

7 SECTION 2. Section 12D of Chapter 112 of the General Laws is hereby amended by  
8 inserting after “thereof”, in line 23, the following sentence: -

9 If any natural person or entity, including, without limitation, a carrier or third party  
10 administrator, including a pharmacy benefits manager, provides or offers to provide any financial  
11 inducement or reward to a pharmacist to dispense a therapeutically equivalent drug in place of a

- 12 drug prescribed by a practitioner, the pharmacist shall disclose that fact to the prescribing
- 13 practitioner and the person who presents the prescription.