

SENATE No. 1430

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 relative to hormonal contraceptives.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/28/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>3/8/2023</i>

SENATE No. 1430

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1430) of Michael O. Moore, Vanna Howard and Rebecca L. Rausch for legislation relative to hormonal contraceptives. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1487 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to hormonal contraceptives.

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 94C, as appearing in the 2020 Official Edition, is hereby amended
2 by inserting, after section 19D, the following section:-

3 Section 19E. A registered pharmacist may prescribe and dispense hormonal contraceptive
4 patches and self-administered oral hormonal contraceptives to a person who is:

5 (a) At least 18 years of age, regardless of whether the person has evidence of a previous
6 prescription from a primary care practitioner or women’s health care practitioner for a hormonal
7 contraceptive patch or self-administered oral hormonal contraceptive; or

8 (b) Under 18 years of age, only if the person has evidence of a previous prescription from
9 a primary care practitioner or women’s health care practitioner for a hormonal contraceptive
10 patch or self-administered oral hormonal contraceptive.

11 The board shall adopt rules to establish, in consultation with the Massachusetts Medical
12 Board, the Massachusetts State Board of Nursing and the MassHealth, and in consideration of
13 guidelines established by the American Congress of Obstetricians and Gynecologists, standard
14 procedures for the prescribing of hormonal contraceptive patches and self-administered oral
15 hormonal contraceptives by pharmacists. The rules adopted under this subsection must require a
16 pharmacist to:

17 (a) Complete a training program approved by the State Board of Pharmacy that is related
18 to prescribing hormonal contraceptive patches and self-administered oral hormonal
19 contraceptives;

20 (b) Provide a self-screening risk assessment tool that the patient must use prior to the
21 pharmacist’s prescribing the hormonal contraceptive patch or self-administered oral hormonal
22 contraceptive;

23 (c) Refer the patient to the patient’s primary care practitioner or women’s health care
24 practitioner upon prescribing and dispensing the hormonal contraceptive patch or self-
25 administered oral hormonal contraceptive;

26 (d) Provide the patient with a written record of the hormonal contraceptive patch or self-
27 administered oral hormonal contraceptive prescribed and dispensed and advise the patient to
28 consult with a primary care practitioner or women’s health care practitioner; and

29 (e) Dispense the hormonal contraceptive patch or self-administered oral hormonal
30 contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

31 The rules adopted must prohibit a pharmacist from:

32 (a) Requiring a patient to schedule an appointment with the pharmacist for the
33 prescribing or dispensing of a hormonal contraceptive patch or self-administered oral hormonal
34 contraceptive; and

35 (b) Prescribing and dispensing a hormonal contraceptive patch or self-administered oral
36 hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's
37 health within the three years immediately following the initial prescription and dispensation of a
38 hormonal contraceptive patch or self-administered oral hormonal contraceptive by a pharmacist
39 to the patient.