

SENATE No. 1436

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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 to establish a pilot program for specialty pharmacy in urology.

PETITION OF:

NAME:

Paul R. Feeney

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 1436

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1436) of Paul R. Feeney for legislation to establish a pilot program for specialty pharmacy in urology. Public Health.

The Commonwealth of Massachusetts

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

An Act to establish a pilot program for specialty pharmacy in urology.

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 chapter 112 of the General Laws or any other general or special law to
2 the contrary, may operate a pilot program limited-purpose under the review and guidance of
3 Massachusetts Department of Public Health and The Massachusetts Board of Pharmacy,
4 specialty practice pharmacy within their specialty practice location, which shall be limited to the
5 scope of the practice; provided, that a privately owned Urology practice with more than five
6 doctors and three office locations in Massachusetts shall submit an application to the board of
7 registration of pharmacy for a certificate to operate such specialty practice pharmacy pursuant to
8 this act. The pilot program will be limited to the first ten applications that meet the application
9 standards and will participate in the four year pilot. The applications accepted shall include the
10 name of the pharmacy technician and pharmacist employed by the Urology to operate the
11 pharmacy; the location of the specialty practice pharmacy; and the scope of the operation of the
12 pharmacy, which shall be limited to the scope of the practice. The pilot program pharmacy will
13 only dispense the following pharmaceuticals pertaining to Urology and will not be permitted to

14 dispense opioids; Erleada 60mg, Xtandi 40mg, Yonsa 125mg, Zytiga 250mg, Abiraterone
15 250mg, Prednisone, Sildenafil 20mg, Provenge, Xofiga. In the course of the pilot program, new
16 pharmaceuticals will come to the market place and will be added to the list.

17 The board of registration of pharmacy, in consultation with the department of public
18 health, shall promulgate guidelines for the purpose of carrying out this act, and shall determine
19 which regulations applicable to a retail drug business under section 39 of chapter 112 of the
20 General Laws shall apply to a specialty practice pharmacy operated pursuant to this act;
21 provided, that such specialty practice pharmacy shall employ at least 1 pharmacy technician and
22 1 supervising pharmacist who shall oversee the operation of the specialty practice pharmacy and
23 review the operation in person at least once per week.

24 The board shall, within 150 days of receipt of the Urology's application pursuant to this
25 act, render a final decision denying or granting a certificate to operate. The board shall grant a
26 Urology practice a certificate to operate a specialty practice pharmacy pursuant to this act if,
27 upon receipt of the application, the board finds that: (i) the granting of such certificate would be
28 consistent with the best interests of the public health, welfare or safety; and (ii) the Urology
29 practice is in compliance with the requirements of this section and the applicable regulations as
30 determined by the board. At the end of the four year pilot program, Department of Public Health
31 and the Board of Pharmacy will submit a report to both the Senate and House Clerks on the
32 merits of the pilot program and a recommendation to continue the pilot program for four
33 additional years.