

SENATE No. 454

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen J. Buoniconti

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 health care in the commonwealth.

PETITION OF:

NAME:

Stephen J. Buoniconti

DISTRICT/ADDRESS:

Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO HEALTH CARE IN THE COMMONWEALTH.

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 10 of Chapter 176O of the General Laws is hereby amended by adding the following
2 subsection:-

3 (d) No contract between a carrier, including a dental or vision carrier, as a participating provider
4 shall include any incentive plan that includes specific payment to the participating provider as an
5 inducement to change a prescription for a drug or medical product issued to a covered person from one
6 specific drug or medical product to another. Nothing in this subsection shall prohibit incentive plans that
7 (1) do not make reference to any specific prescription drug or medical product and (2) comply with the
8 provisions of subsection (b). The commissioner may impose a fine of up to \$10,000 per violation of this
9 subsection