

SENATE No. 888

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 to ensure safe medication administration.

PETITION OF:

NAME:

Marc R. Pacheco

DISTRICT/ADDRESS:

First Plymouth and Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01320 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO ENSURE SAFE MEDICATION ADMINISTRATION.

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 7 of chapter 94C of the General Laws as most recently appearing in
2 the 2004 Official Edition, is hereby amended by inserting after subsection (h), the following new
3 subsection:-

4 (i) Notwithstanding any general or special law to the contrary, only a dentist, nurse, physician,
5 podiatrist, perfusionist, optometrist or veterinarian licensed as a professional by chapter 112 of
6 the General Laws, or any student enrolled in a course of study for said profession acting under
7 the supervision of said licensed person and in accordance with the General Laws, may administer
8 any controlled substance in schedule II, III, IV, V or VI of Section 3 of chapter 94C of the
9 General Laws. This shall not be construed to prohibit the following: (1) self-administration (2)
10 administration of epinephrine pens in an emergency; (3) administration of controlled substances
11 by emergency medical system personnel or (4) administration of controlled substances by any ill,
12 injured or infirm person's domestic partner or family member(s). For the purposes of this
13 section, "self-administration" shall include the ability of any ill, injured or infirm person who has

14 sufficient understanding of their prescribed controlled substance(s); the indications and
15 contraindications for such controlled substance(s); a recollection of the administration schedule
16 for such controlled substance(s) and an ability to communicate this knowledge and the
17 experienced effect of having taken a controlled substance, to supervise an unlicensed person in
18 the direct administration of such controlled substance(s) to them.