

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Louis L. Kafka**

*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 providing for unused medication return by health care facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Louis L. Kafka	8th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2125 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**AN ACT PROVIDING FOR UNUSED MEDICATION RETURN BY HEALTH CARE FACILITIES.**

*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.

2

3 Chapter 111 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by  
4 striking out section 25I and inserting in place the following section:

5

6 Section 25I. The commissioner shall promulgate regulations requiring that either a resident or  
7 consultant pharmacist in a health care facility shall return to the pharmacy from which it was purchased  
8 all unused medication; provided that such medication is sealed in unopened, individually packaged units  
9 and within the recommended period of shelf life, and provided that such medication is not a Schedule I  
10 or II controlled substance as defined in Chapter 94C. Such pharmacies shall accept all unused  
11 medications regardless of whether such medications are included on any list of unit-dose drugs issued  
12 by the Office of Medicaid. Any rules and regulations issued by the commissioner shall permit the  
13 pharmacy to which such medication is returned to restock and redistribute such medication, and shall  
14 be required to reimburse or credit the purchaser for any such returned medication.

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