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**Chap. 174**

**SECTION 1.** Section 3-3 of the charter of the city of Newton, which is on file in the office of the archivist of the commonwealth as provided by section 12 of chapter 43B of the General Laws, is hereby amended by striking out subparagraph (a) and inserting in place thereof the following subparagraph:-

(a) the mayor shall appoint all city officers, department heads, and all volunteer members of city boards, commissions, committees and agencies for whom no other method of appointment is provided by the charter or law. Appointments by the mayor of city officers and department heads shall become effective thirty days from the date of the first regularly scheduled board of aldermen meeting after notice of the proposed appointment is filed with the city clerk, unless the board of aldermen within said thirty days shall reject such appointment. Appointments by the mayor of volunteer members of city boards, commissions, committees, and agencies shall take effect sixty days from the date of the first regularly scheduled board of aldermen meeting after notice of the proposed appointment is filed with the city clerk, unless the board of aldermen within said sixty days shall reject such appointment. Rejection by the board of aldermen shall require a two-thirds vote.

**SECTION 2.** This act shall take effect upon its passage.

Approved August 14, 1992.

**Chapter 174. AN ACT RELATIVE TO THE CHARTER OF THE CITY OF NEWTON.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Section 6-2 of the charter of the city of Newton, which is on file in the office of the archivist of the commonwealth as provided by section 12 of chapter 43B of the General Laws, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Such reorganization plan shall be accompanied by an explanatory memo which shall include: (1) reference to any ordinances to be repealed or modified; and (2) summary of proposed ordinance language changes to be put into effect by such plan.

**SECTION 2.** This act shall take effect upon its passage.

Approved August 14, 1992.

**Chapter 175. AN ACT RELATIVE TO CERTAIN BETTERMENT ASSESSMENTS IN THE TOWN OF BARNSTABLE.**

*Be it enacted, etc., as follows:*

The board of assessors of the town of Barnstable are hereby authorized to set the number of years a betterment may be assessed for less than twenty years for private road improvements, notwithstanding the request of the owner of the land assessed.

Approved August 14, 1992.

**Chapter 176. AN ACT RELATIVE TO PRESCRIPTION COUNSELING.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Chapter 94C of the General Laws is hereby amended by inserting after section 21 the following section:-

Section 21A. A pharmacist shall conduct a prospective drug review before each new prescription is dispensed or delivered to a patient or a person acting on behalf of such patient. Such review may include, but not be limited to, screening for potential drug therapy problems due to therapeutic duplication, drug disease contraindication, drug interactions, including serious interactions with nonprescription or over-the-counter drugs, incorrect drug dosage, duration of drug treatment, drug allergy interactions and clinical abuse or misuse.

A pharmacist shall offer to counsel any person who presents a new prescription for filling. Such offer shall be made either by face to face communication between the pharmacist or the pharmacist's designee and the patient, or by telephone, except when the patient's needs or availability require an alternative method of counseling.

If a person elects delivery of a prescription drug at a location other than a pharmacy, the requirements of this section may be satisfied by providing such person with access to a toll-free telephone service to facilitate communication between such person and the pharmacist at such pharmacy. The number of such toll-free telephone service shall be printed on a label affixed to each container of a prescription drug dispensed by a pharmacy to a patient.

For the purposes of medical assistance and other third party reimbursements or payment programs, any of the above methods, or a combination thereof, shall constitute an acceptable offer to provide counseling.

If an offer to provide counseling is accepted, the pharmacist shall counsel the person presenting the prescription to the extent the pharmacist deems appropriate. Such counseling may include, but not be limited to, the following:

- (1) the name and description of the medication;
- (2) the dosage form, dosage, route of administration and duration of drug therapy;
- (3) special instructions and precautions for preparation, administration and use