

COMMONWEALTH OF MASSACHUSETTS

By His Excellency

FRANCIS W. SARGENT

EXECUTIVE ORDER NO. 106

Drug Diversion Control

WHEREAS, The traffic within the Commonwealth in controlled substances diverted from legal channels is increasing at a serious rate, which is demonstrated by increases in robberies and other thefts of drugs, by arrest statistics, and by cases of drug overdoses: and

WHEREAS, The control of illicit traffic in diverted drugs requires increased coordination at the state level of enforcement and regulatory agencies of the Commonwealth: and

WHEREAS, There is a need for central policy-making body to provide guidance to a joint statewide enforcement and regulatory effort in the Commonwealth;

NOW, THEREFORE, I, Frances W. Sargent, Governor of the Commonwealth, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

(1) There shall be a Massachusetts Policy Council on Drug Diversion Control, hereinafter called the Council, comprised of the Commissioner of the Department of Public Safety, the Commissioner of the Department of Public Health, the Chairman of the Board of Registration in Medicine, the Chairman of the Board of Registration in Pharmacy, or their respective designees, and three additional members appointed by the Governor for terms of one year. The Governor shall from time to time designate one of the members to serve as chairman.

(2) The Council shall:

(a) make recommendations to the Governor for improved legislative, administrative, and regulatory measures relating to control of the diversion of controlled substances;

(b) set policy and establish procedures for the formation and operation of a Diversion Investigation Task Force: and

(c) formulate plans for the initiation and conduct, including the assignment of legal counsel and the appointment of hearing officers where appropriate, of license suspension, revocation, and other proceedings within the jurisdiction of the Department of Public Health and the Boards of Registration in Medicine, Dentistry, and Pharmacy relating to unauthorized drug diversion.

(3) The Council shall meet at the call of the chairman and shall meet at least once each year. Members of the Council shall serve without compensation. The Council shall meet as soon as it is practicable upon execution of this order to establish procedures for the formation and operation of the Diversion Investigation Task Force. A majority of members then serving on the Council shall constitute a quorum.

(4) Investigative, regulatory, and other personnel of appropriate state agencies shall participate in the activities of the Diversion Investigation Task Force, which shall operate under the supervision of a State Police officer selected by the Commissioner of Public Safety and approved by a majority of the members of the Council.

Given at the Executive Chamber in
Boston this third day of
May in the year of our Lord one
thousand nine hundred and seventy-
four and of the Independence of the
United States of America, the one
hundred and ninety-eighth.

Francis W. Sargent
Governor
Commonwealth of Massachusetts

John F. X. Davoren
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS