

By Mr. McNeil of Malden, petition of John C. McNeil and Athan Catjakis for legislation to require the registration of all pharmacies. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT REQUIRING THE REGISTRATION OF ALL PHARMACIES.

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. Chapter 112 of the General Laws is hereby
2 amended by inserting after section 37 the following section: —

3 Section 37A. The term “pharmacy” as used in sections twenty-
4 four to forty-two A shall mean: any facility, however organized,
5 whether conducted for profit or not for profit, which is advertised,
6 announced, established, or maintained for the purpose of
7 dispensing prescription drugs and health aids.

1 SECTION 2. Chapter 112 of the General Laws is hereby
2 amended by inserting after section 38 the following section: —

3 Section 38A. In addition to such registration as may be required
4 by section seven of chapter ninety-four C, and notwithstanding
5 the provisions of sections fifty-one to fifty-six of chapter one
6 hundred and eleven of the General Laws, or any other general
7 or special law, every pharmacy, whether owned or operated by
8 a hospital or clinic or other institution, shall be registered by the
9 board of registration in pharmacy under the provisions of sections
10 thirty-nine, thirty-nine A or thirty-nine B.

1 SECTION 3. Chapter 112 of the General Laws is hereby
2 amended by inserting after section 39A the following section: —

3 Section 39B. The board may upon application, made in such
4 manner and form as the board shall determine, register a

5 pharmacy which is maintained or operated by a hospital or clinic,
6 in compliance with such rules and regulations as the board may
7 establish, provided that it appears to the satisfaction of the board
8 that the management of such pharmacy shall be in the hands of
9 a registered pharmacist. Such pharmacy shall not dispense any
10 prescription drug to any person other than patients currently
11 under treatment at the hospital or clinic, employees of the hospital
12 or clinic, or any such employee's spouse or children while they
13 are living in the same household with such employee. The board
14 shall, after public hearing, subject to the provisions of section two
15 of chapter thirty A, promulgate rules and regulations for the
16 conduct of such hospital and clinic pharmacies. Such registration
17 shall be renewed every two years. The fee for such registration
18 and for the renewal thereof shall be determined annually under
19 the provisions of section three B of chapter seven.

1 SECTION 4. Section 40 of chapter 112 of the General Laws,
2 most recently amended by chapter one hundred and thirty-five
3 of the acts of 1980, is hereby further amended by inserting the
4 words "or thirty-nine B" after the words "thirty-nine A" appearing
5 in the second line thereof.