

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

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Michael J. Rodrigues**

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*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 relative to prescription assistance programs.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	8th Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO PRESCRIPTION ASSISTANCE PROGRAMS.

*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 41 of chapter 118E of the General Laws, as appearing in the 2004 Official  
2 Edition, is hereby amended by inserting at the end thereof the following two paragraphs: --

3

4 This section shall not apply to valid pharmaceutical assistance programs sponsored by  
5 manufacturers, pharmacy benefit managers, insurers, nonprofit organizations or others that offer to  
6 uninsured and under-insured individuals with a valid written prescription, free, low-cost prescription  
7 drugs, or co-payment assistance based on their ability to pay.

8

9 For purposes of the federal Health Insurance Portability and Accountability Act of 1996 and  
10 regulations issued thereunder, nothing in this section shall be deemed to require or allow the use or  
11 disclosure of health information in any manner that does not otherwise comply with such Act or such  
12 regulations.

13

14 SECTION 2. Section 3 of chapter 175H of the General Laws, as appearing in the 2004 Official Edition, is  
15 hereby amended by inserting at the end thereof the following two paragraphs: --

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17 This section shall not apply to valid pharmaceutical assistance programs sponsored by  
18 manufacturers, pharmacy benefit managers, insurers, nonprofit organizations or others that offer to

19 uninsured and under-insured individuals with a valid written prescription, free, low-cost prescription  
20 drugs, or co-payment assistance based on their ability to pay.

21

22           For purposes of the federal Health Insurance Portability and Accountability Act of 1996 and  
23 regulations issued thereunder, nothing in this section shall be deemed to require or allow the use or  
24 disclosure of health information in any manner that does not otherwise comply with such Act or such  
25 regulations.