

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Stanley C. Rosenberg

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 Establishing a Special Commission to Promote Prescription Pharmaceutical Affordability in the Commonwealth.

PETITION OF:

NAME:

Stanley C. Rosenberg

DISTRICT/ADDRESS:

Hampshire and Franklin

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING A SPECIAL COMMISSION TO PROMOTE PRESCRIPTION PHARMACEUTICAL AFFORDABILITY IN THE COMMONWEALTH.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make to provide for the safety of the citizens of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Because rising pharmaceutical costs bear tremendous impact on the affordability of
2 healthcare in the Commonwealth, there shall be a special commission established to study methods
3 through which to reduce the cost of prescription drugs for both public and private payers. The special
4 commission shall be made up of 16 members including the chairs of the joint committee on health care
5 financing; the commissioner of the Group Insurance Commission or her designee; the director of the
6 division of insurance or his designee; the director of the state office of pharmacy services; the secretary of
7 elder affairs or his designee; the director of the Massachusetts Medicaid program; three members
8 designated by the Senate President, one of whom shall be a member of the minority party; three members
9 designated by the Speaker of the House, one of whom shall be a member of the minority party; one
10 member designated by the Massachusetts Association of Health Plans; one member designated by the
11 Massachusetts Hospital Association; and one member designated by Health Care For All. All necessary
12 appointments shall be made within 30 days of the effective date of this act.

13 The special commission shall examine the following: the ability of the commonwealth to enter into bulk
14 purchasing agreements, including agreements that would require the secretary of elder affairs, the
15 commissioner of GIC, the director of the state office of pharmacy services, the commissioners of the

16 departments of public health, mental health, and mental retardation, and any other state agencies involved
17 in the purchase or distribution of prescription pharmaceuticals, to renegotiate current contracts; aggregate
18 purchasing methodologies designed to lower prescription pharmaceutical costs for state and non-state
19 providers; the ability of the commonwealth to operate as a single payer prescription pharmaceutical
20 provider; and the feasibility of creating a program to provide all citizens access to prescription
21 pharmaceuticals at prices negotiated by the commonwealth.

22 The Commission shall report its detailed findings and submit any related recommendations for
23 legislation, programs or funding to the Clerks of the House and Senate within 5 months of the effective
24 date of this act.