

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Mr. Buoniconti**

*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 health care in the commonwealth.

PETITION OF:

NAME:

Mr. Buoniconti

DISTRICT/ADDRESS:

Hampden

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT RELATIVE TO HEALTH CARE IN THE COMMONWEALTH.

*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 10 of Chapter 176O of the General Laws is hereby amended by adding the following  
2 subsection:-

3           (d) No contract between a carrier, including a dental or vision carrier, as a participating provider  
4 shall include any incentive plan that includes specific payment to the participating provider as an  
5 inducement to change a prescription for a drug or medical product issued to a covered person from one  
6 specific drug or medical product to another. Nothing in this subsection shall prohibit incentive plans that  
7 (1) do not make reference to any specific prescription drug or medical product and (2) comply with the  
8 provisions of subsection (b). The commissioner may impose a fine of up to \$10,000 per violation of this  
9 subsection