

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Baddour (BY REQUEST)

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 Psychotropic Medications.

PETITION OF:

NAME:

Sharlene Hemp

DISTRICT/ADDRESS:

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PSYCHOTROPIC MEDICATIONS.

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 111 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 72Z the following section:-

3 Section 72AA.

4 SECTION 1. Definitions.

5 The following definitions shall apply;

6 “psychotropic medication” is a chemical substance that acts primarily upon the central nervous
7 system where it alters brain function, resulting in temporary changes in perception, mood,
8 consciousness and behavior;

9 SECTION 2. Every resident in a nursing home, rest home, or other long term care facility that is
10 prescribed psychotropic medications, shall have the facility in which they reside, as well as the
11 prescribing physician, first obtain informed consent from the resident, the resident’s health care
12 proxy, and a court appointed Rogers guardian.

13 The facility shall then keep on record a written consent form between the resident and the
14 prescribing physician when prescribing psychotropic medications.

15 The secretary of elder affairs, shall promulgate further regulations to promote and protect the
16 interests and well being of residents in nursing homes, rest homes, and long-term care facilities,
17 including but not limited to timely notification to the resident and designated family member or
18 legal representative of relevant changes in resident care, posting of care and communication
19 standards in a clear and conspicuous manner, and process for distributing a copy of all applicable
20 rules and regulations to the resident, designated family member or legal representative including
21 a written acknowledgment of receipt.