

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Mr. Tolman**

*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 requiring the parental notice of the treatment of minors for drug overdoses.

PETITION OF:

NAME:

Mr. Tolman

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01139 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT REQUIRING THE PARENTAL NOTICE OF THE TREATMENT OF MINORS FOR DRUG  
OVERDOSES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

1 *Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to  
2 require parental notice of a drug overdose of a minor, therefore, it is hereby declared to be an  
3 emergency law, necessary for the immediate preservation of the public convenience.

4 Be it enacted by the Senate and House of Representatives in General Court assembled, and by the  
5 authority of the same, as follows:

6

7 **SECTION 1.** Section 12F of chapter 112 of the General Laws, as appearing in the 2004 Official Edition, is  
8 hereby amended by striking out, in lines 37 and 38, the words “minor or a proper judicial order” and  
9 inserting in place thereof the following words:- minor, a proper judicial order or in case of treatment for  
10 a drug overdose, as defined by department of public health regulation.

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12 **SECTION 2.** Said chapter 112, as so appearing, is hereby further amended by inserting after section 12F  
13 the following section:-

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15 Section 12F ½ . Any physician or hospital that treats a person 17 years of age or younger for a drug  
16 overdose, as defined by department of public health regulation, shall notify the minor’s parents or legal  
17 guardians of the overdose as part of the discharge planning process for the minor. The notification shall  
18 only be made in a meeting including the treating clinician and the minor’s parents or guardian. The  
19 treating clinician shall provide the parents or legal guardians with the current contact information for  
20 the bureau of substance abuse services within the department of public health and the substance abuse  
21 hotline operated by the department of public health.

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23 **SECTION 3.** The department of public health will design a pamphlet to be distributed in emergency  
24 rooms to parents or guardians of a person 17 years of age or younger who is treated for a non-fatal  
25 overdose. Said pamphlet shall include, but not be limited to: information on how treatment can help,  
26 information on what a parent can do to prevent future overdoses, and information on where the patient  
27 can go to get treatment.

28

29 **SECTION 4.** Within 60 days of the effective date of this act, the department of public health shall  
30 promulgate a regulation defining the words “drug overdose”.

31

32 **SECTION 5.** Sections 1, 2, and 3 shall take effect 90 days from passage.