

POLICY INVENTORY: STATE AND FEDERAL POLICIES CONCERNING CVH - BY RISK FACTOR/HP 2010 CHAPTER*

HEART DISEASE AND STROKE: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Risk factors; wellness programs – MGL Ch. 111 S. 206	State/ Community	The department of public health shall establish a program to reduce the incidence among the general public of mortality and morbidity from accidents and diseases for which risk factors can be identified.	12-1, 12-7, 5-5, 5-7	Funding from the program was cut FY02. Unclear what the intention/effect of the law is.
Exemption of certain trained individuals rendering emergency CPR/defibrillation from civil liability – MGL Ch. 112 S. 12V	State/ All	Any person who is trained according to the standards and guidelines of AHA or the ANRC in CPR or the use of semi-automatic or automatic external defibrillators ... who in good faith and without compensation renders emergency cardiopulmonary resuscitation or defibrillation in accordance with his training ... shall not be liable for acts or omissions.	12-2, 12-4, 12-5, 12-8, 1-10	
Statewide EMS system; expectations; purpose – MGL Ch. 111C S. 2	State/ All	The department of public health, with the assistance of interested parties that are part of the state's EMS system, including, without limitation, the regional EMS councils, shall plan, guide and coordinate programs to ensure that the state's EMS system shall...	12-1, 12-3, 12-5, 12-7, 1-10, 1-11	
First aid training of emergency personnel – MGL Ch. 111 S. 201	State/ All	Members of police and fire departments, members of the state police participating in highway patrol, persons appointed permanent or temporary, and members of emergency reserve units of a volunteer fire department or fire protection district shall be trained to administer first aid, including, but not limited to, CPR by 7/1/78.	12-1, 12-3, 12-5, 12-7, 1-10, 1-11	
Retirement Systems and Pensions – MGL Ch. 32 S. 94	State/ Work site	Impairment of health caused by hypertension or heart disease, etc., resulting in disability or death of paid fire or police department member; presumption: if he successfully passed a physical examination on entry into such service, or subsequently successfully passed a physical examination, be presumed to have been suffered in the line of duty, unless the contrary be shown.	12-1, 12-9, 12-10, 12-12	
First aid training of emergency personnel, including CPR; standards; refresher course; coordination by department; personnel excepted – MGL Ch. 11 S. 201	State/ All	Members of police and fire departments, state police participating in highway patrol, persons appointed permanent or temporary, and members of emergency reserve units of a volunteer fire department or fire protection district shall be trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation by 7/1/78, including those appointed on or after 1/1/76 and may be trained in automatic or semi-automatic cardiac defibrillation.	12-1, 12-3, 12-5, 12-7, 1-10, 1-11	
Standards for Enhanced 911 – 560 CMR 2.00	State/ All	Pursuant to MGL Ch. 6A, S. 18B, this regulation sets forth rules governing the implementation and administration of the Enhanced 9-1-1 service throughout MA.	12-1, 12-2, 12-3, 12-4, 12-5, 12-7, 1-10, 1-11	
Medicare Wellness Act of 2003 – H.R. 1860	Federal/ Healthcare,	This bill would add under Medicare coverage - Screening for cholesterol if the individual involved has not had such a screening during the preceding 5	12-1, 12-13, 12-14, 12-	4/29/03 Referred to House committee. Referred to the

	Community	years. Payment may be made under this part for a screening for cholesterol with respect to an individual even if the individual has had such a screening during the preceding 5 years if the individual exhibits major risk factors for coronary heart disease or a stroke, including, but not limited to, smoking, hypertension, and diabetes.	15, 12-16	Committee on Energy and Commerce, and to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, for consideration of such provisions within the jurisdiction of the committee concerned.
Medicare Cholesterol Screening Coverage Act of 2003 – Senate 382 and H.R. 721	Federal/ Healthcare	These bills would amend title XVIII of the Social Security Act to provide for coverage of cardiovascular screening tests under the Medicare program (cholesterol and other blood lipid screening tests).	12-1, 12-13, 12-14, 12-15, 12-16	2/12/03 Referred to Senate committee. Read twice and referred to the Committee on Finance. 2/26/2003 Referred to House subcommittee. Referred to the Subcommittee on Health.
Medicare Medical Nutrition Therapy Amendment Act of 2003 – Senate 632 and H.R. 1225	Federal/ Healthcare	Both these laws would amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the Medicare Program for beneficiaries with cardiovascular disease.	12-1, 12-7, 12-9, 12-14	3/17/03 Referred to Senate and House subcommittees. Referred to the Committee on Finance and the Subcommittee on Health.
Senate, No. 495	State/ Healthcare, Community	No later than 60 days after the effective date of this act, the secretary of HHS shall create within DPH a program of enhanced disease prevention, detection and treatment for uninsured residents, with the intent of improving outcomes overall, and reducing disparities in outcomes for breast, cervical, prostate and colorectal cancers, stroke and heart attack, diabetes and asthma.	12-1, 12-7, 1-6	Filed 1/03, referred to Committee on Health Care
ACCESS TO QUALITY HEALTH SERVICES: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Family and Medical Leave Act (FMLA) – US Code Title 29, Ch. 28	Federal/ Work site, Healthcare	The FMLA requires certain employers to give employees up to 12 weeks of unpaid leave to deal with health-related problems affecting themselves or their immediate relatives, or with the birth or adoption of a child. The law also requires that employers continue health insurance coverage and provide job security.	1-4, 1-6, 1-10	
Health Plan Employer Data and Information Set (HEDIS)	Federal/ Healthcare, Community	HEDIS is a set of standardized performance measures designed to ensure that purchasers and consumers have the information they need to reliably compare the performance of managed health care plans.	1-4	
Contributory group general or blanket insurance for persons in the service of counties, cities, towns and Districts, and their dependents – MGL Ch.	State/ Work site, Healthcare, Community	Each employee shall be automatically insured for at least \$2000 of group life insurance and at least \$2000 of group accidental death and dismemberment insurance and group general or blanket insurance, providing hospital, surgical, medical, dental and other health insurance benefits, commencing on the date he first becomes eligible or on the effective date of such coverage or coverages, including dependent benefits, whichever last occurs.	1-1, 1-4, 1-5, 1-6	

32B S. 4				
Contributory group general or blanket insurance for persons in the service of counties, cities, towns and Districts, and their dependents – MGL Ch. 32B S. 17	State/ Work site, Healthcare, Community	In any city or town which accepts the provisions of this section, an employee ... upon his involuntary termination of employment ... may elect to continue all or a part of his insurance coverages. The employer shall notify in writing the employee of the right to elect to continue coverages.	1-1, 1-4, 1-5, 1-6	
Competent interpreter services in acute-care hospitals – MGL Ch. 111 S. 25J	State/ Work site, Healthcare, Community	Every acute-care hospital shall provide competent interpreter services in connection with all emergency room services provided to every non-English speaker who is a patient or who seeks appropriate emergency care or treatment.	1-6, 7-8	
Registration of certain professions and occupations – MGL Ch. 112 S. 2	State/ Healthcare	Registration of physicians; alien applicants; examinations; renewal; fees.	1-7	
Registration of certain professions and occupations – MGL 112 S. 23A, B	State/ Healthcare	Defines “athletic trainer,” “athletic training,” “occupational therapy,” “occupational therapist,” “physical therapy,” “physical therapist,” etc. The board on allied health professions may require specific continuing education as a condition for license renewal.	1-7, 1-3	
Registration of certain professions and occupations – MGL 112 S. 202	State/ Healthcare	Board of registration of dietitians/nutritionists; The Board has the powers and duties: to promulgate regulations and adopt rules necessary to regulate the field of dietetics and nutrition and the practice of licensed dietitians/nutritionists.	1-7, 1-3	
Non-profit hospital service corporations – MGL 176A S. 8G	State/ Healthcare	Any contract, except contracts providing supplemental coverage to Medicare or other governmental programs ... shall provide, as a basic benefit to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth, for <i>expense for cardiac rehabilitation</i> . Such standards shall include, but not be limited to, outpatient treatment initiated within 26 weeks after diagnosis.	1-1, 1-4, 1-5, 1-6	
Medical service corporations – MGL Ch. 176B S. 4F	State/ Healthcare	Any subscription certificate under an individual or group medical service agreement, except certificates which provide supplemental coverage to Medicare or other governmental programs shall provide, as a basic benefit to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for <i>expense for cardiac rehabilitation</i> . Such standards shall include, but not be limited to, outpatient treatment initiated within 26 weeks after diagnosis.	1-1, 1-4, 1-5, 1-6	
INSURANCE - Cardiac rehabilitation expense benefits – MGL Ch. 175 S. 47D	State/ Healthcare	Any blanket or general policy of insurance, except a blanket or general policy of insurance which provides supplemental coverage to Medicare or other governmental programs, which provides hospital expense and surgical expense insurance and which is issued or subsequently renewed by agreement between the insurer and the policy holder ... shall provide benefits for the <i>expense of cardiac rehabilitation</i> .	1-1, 1-4, 1-5, 1-6	

Health insurance consumer protections – MGL Ch. 176O S. 2	State/Healthcare	There is hereby established within the division a bureau of managed care to establish minimum standards for the accreditation of (1) utilization review; (2) quality management and improvement; (3) credentialing; (4) preventive health services ; and (5) compliance with sections 2 to 12, inclusive.	1-1, 1-4, 1-5, 1-6	
Nongroup Health Insurance – MGL Ch. 176M S. 2	State/Healthcare	The standard plans shall include at least the following: reasonably comprehensive physician services, inpatient and outpatient hospital services, emergency health services, the full range of effective clinical preventive care , and prescription drugs administered on an outpatient basis.	1-1, 1-4, 1-5, 1-6	
MassHealth: General Policies – 130 CMR 501	State/Healthcare, Community	This regulation provides the MassHealth requirements for children, families, disabled persons...	1-1, 1-4, 1-5, 1-6	
Division of Medical Assistance: Chronic Disease and Rehabilitation Inpatient Hospital Manual – 130 CMR 435	State/Healthcare	All providers of chronic disease and rehabilitation inpatient hospital services participating in MassHealth must comply with the regulations of the Division governing MassHealth.	1-1, 1-4, 1-5, 1-6	
Division of Medical Assistance: Community Health Center Manual – 130 CMR 405	State/Healthcare	All CHCs participating in MassHealth must comply with the regulations of the Division governing MassHealth described here. 130 CMR 405.411 mandates continuity of care.	1-1, 1-4, 1-5, 1-6	
Determination of need – MGL Ch. 111, S. 25C	State/Healthcare	No person or agency of the commonwealth or any political subdivision thereof shall make substantial capital expenditures for construction of a health care facility or substantially change the service of such facility unless there is a determination by the department that there is need therefore.	1-6, 1-4	
Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003 – H.R. 918 and Senate 453	Federal/Healthcare	These bills would authorize HRSA and NCI to give out grants for model community cancer and chronic disease care and prevention plus for patient navigators.	1-6, 1-7	3/10/03 Referred to House subcommittee. Referred to the Subcommittee on Health. 2/26/03 Referred to Senate committee. Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
IMPACT Act – H.R. 716	Federal/Healthcare, Community	Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director of AHRQ shall review all research that results from the activities outlined in this Act and determine if particular information may be important to the report on health disparities required by section 903(c)(3) of the Public Health Service Act (42 U.S.C. 299a-1(c)(3)). This bill would ALSO allow the Secretary to award grants to eligible entities (federally qualified health centers) to implement demonstration overweight and obesity treatment and prevention programs using evidence-based recommendations.	1-1, 1-4, 1-5, 1-6	2/26/03 Referred to House subcommittee. Referred to the Subcommittee on Health.
Good Medicine Cultural Competence Act of 2003 – H.R. 90	Federal/Healthcare, Community,	This bill would establish a commission known as the Cultural Competence Commission to (1) Establishing standards in cultural competence education for medical and health professionals. (2) Mandating minimum professional	1-4, 1-7	2/3/03 Referred to House subcommittee. Referred to the Subcommittee on Health.

	Work site	training requirements for the delivery of high-quality knowledge-based patient care, and mandating annual hearings on the status of patient care for minority and low-income patients. (3) Collaborating with the Agency for Healthcare Research and Quality and the American Hospital Association to ensure that the review and assessment process for updating clinical guidelines and protocols incorporates a mechanism to determine the appropriateness of the guidelines and protocols for use among patients of color...		
Medicare Wellness Act of 2003 – H.R. 1860	Federal/ Healthcare, Community	This bill would require that Medicare coverage include an initial preventive physical examination. Also, the Medicare Handbook and other Annual Notices to Medicare beneficiaries must include a detailed description of A) the preventive health benefits that are covered under the Medicare program; and (B) the importance of using such benefits.	1-2, 1-5, 1-6, 1-7	4/29/03 Referred to House committee. Referred to the Committee on Energy and Commerce, and to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, for consideration of such provisions within the jurisdiction of the committee concerned.
WISEWOMAN Expansion Act of 2003 – H.R. 1470.IH	Federal/ Healthcare, Community, Work site	This law would reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women.	1-2, 1-4	4/10/03 Referred to House subcommittee. Referred to the Subcommittee on Health.
House, No. 1292	State/ Healthcare, Community	This legislation would establish a pilot program at 4 sites to provide access to health care and social services within the Department of Health and Human Services. It will eliminate informational, cultural, ethnic, and social barriers that keep people from using available health and social services, and help citizens act to improve the health and safety of communities.	1-4, 1-5, 1-6	Filed 1/03, referred to Committee on Health Care
DIABETES: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Medicare's Medical Nutrition Therapy (MNT) Benefit - Section 105 of the Benefits Improvement and Protection Act (BIPA)	Federal/ Healthcare, Community	"...nutritional diagnostic, therapy, and counseling services for the purpose of disease management which are furnished by a registered dietitian or nutrition professional ... pursuant to a referral by a physician..." (MNT services are available for beneficiaries with diabetes or renal disease.)	5-1, 5-4, 5-5, 5-7, 5-16	
Required coverage for items medically necessary for the diagnosis or treatment of diabetes – MGL Ch. 118E S. 10C	Federal/ Healthcare, Community	This law lists the items the Division of Medical Assistance shall provide coverage for if such items are within a category of benefits or services for which coverage is otherwise afforded, have been prescribed by a health care professional legally authorized to prescribe such items and if the items are medically necessary for the diagnosis or treatment of insulin-dependent, insulin-using, gestational and non-insulin-dependent diabetes...	5-4, 5-5, 5-7, 5-8	
Medicare Wellness Act	Federal/	This bill would add under Medicare coverage - Screening for diabetes II	5-2, 5-3, 5-4	4/29/03 Referred to House

of 2003 – H.R. 1860	Healthcare	mellitus for individuals with hypertension or hyperlipidemia if the individual involved has not had such a screening during the preceding 3 years.'		committee. Referred to the Committee on Energy and Commerce, and to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, for consideration of such provisions within the jurisdiction of the committee concerned.
An Act Authorizing Self-Monitoring and Treatment of Students with Diabetes – Senate, No. 324	State/ Schools	This legislation would authorize self-monitoring and treatment of students with diabetes.	5-5, 5-17	Filed 1/03, referred to Committee on Education, Arts, and Humanities
DISABILITY AND SECONDARY CONDITIONS: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Individuals with Disabilities Education Act Amendments of 1997	Federal/ Schools, Community	Requires all children identified with disabilities to be entitled to appropriate public education, which could include health ed., and PE. State departments of education and school systems are charged with developing and implementing policies and procedures, etc. to school staff to ensure that each child with special needs receives a comprehensive and complete education the "mainstream" educational environment to the extent appropriate for the child.	6-2, 6-9, 6-12	The Federal Rehabilitation Act entitles students w/physical/mental impairments to special and general ed. and related services to meet needs.
Identification of school age children with a disability; diagnosis; proposal of program; evaluations and assessments – MGL Ch. 71B S. 3	State/ Schools	In accordance with the regulations, guidelines and directives of the department issued jointly with the departments of mental health, mental retardation, public health, youth services, and the commission for the blind and the commission for the deaf and hard of hearing and with assistance of the department, the school committee of every city, town or school district shall identify the school age children residing therein who have a disability.	6-2, 6-9, 6-12	Special Education Regulations are covered in 603 CMR 28.00.
Disability commission; powers and duties; members; terms – MGL Ch. 40 S. 8J	State/ Community	A city or a town that accepts the provisions of this section may establish a commission on disability to cause the full integration and participation of people with disabilities in such city or town.	6-3, 6-4, 6-5, 6-6, 6-9, 6-10, 6-11, 6-12, 6-13	
EDUCATIONAL AND COMMUNITY-BASED PROGRAMS: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Health regulations – MGL Ch. 111 S. 31	State/ Community	Boards of health may make reasonable health regulations.	7-10	

Establishment and maintenance of dental, medical and health clinics – MGL Ch. 111 S. 50	State/ Community, Healthcare	Towns may establish and maintain dental, medical and health clinics, and in connection therewith may conduct campaigns of general education relative to matters of public health.	7-10, 7-11, 7-12	Section 57C states: DPH, with the co-operation of local boards of health, hospitals, dispensaries or other agencies shall establish and maintain clinics for the aging in as it may deem most advantageous to the public health.
Powers of outdoor advertising board; rules and regulations – MGL Ch. 93 S. 29	State/ Community	The outdoor advertising board may make, amend or repeal rules and regulations for the proper control and restriction of billboards, signs and other advertising devices ...	7-10, 7-11	
MA turnpike authority and the metropolitan highway system: Powers of authority – MGL Ch. 81A S. 4 (f)	State/ Community	The authority is authorized and empowered to acquire sites abutting the turnpike or the metropolitan highway system and to construct or contract for the construction of buildings and appurtenances for ... restaurants ... and other services and to lease such facilities in such manner and under such terms as it may determine.	7-10	The Turnpike Authority makes space available to local farmers at all 11 of its service areas.
Public markets; establishment; conditions; regulation – MGL Ch. 40 S. 10	State/ Community	A city, or a town having a population of not less than 10,000, may provide and maintain one or more public markets, with suitable buildings and grounds, and for this purpose may acquire land by gift or purchase or lease the same, with or without buildings, and may make alterations in buildings and construct new buildings on land so acquired or leased.	7-10	
School physicians and nurses – MGL Ch. 71 S. 53	State/ Schools	The school committee shall appoint one or more school physicians and registered nurses, shall assign them to the public schools within its jurisdiction, shall provide them with all proper facilities for the performance of their duties and shall assign one or more physicians to the examination of children who apply for health certificates...	7-4	
IMPACT Act – H.R. 716	Federal/ Schools	The Secretary, acting through the Director of CDC and in consultation with the Administrator of HRSA, the Secretaries of Education, Agriculture, and the Interior, shall, as part of CDC's coordinated school health program currently operated pursuant to the Director's general authority, award competitive grants to State, tribal, and local educational agencies ... AND shall award competitive grants to local educational agencies to plan, implement, and evaluate culturally and linguistically appropriate and competent programs to promote a healthy lifestyle, including programs that, in collaboration with statewide coordinated school health programs, when applicable, increase physical activity and improve the nutritional status of the students at elementary and secondary schools.	7-2, 7-11	2/26/03 Referred to House subcommittee. Referred to the Subcommittee on Health.
An Act Relative to Student Nutrition – House, No. 1071	State/ Schools	This would require school districts to convene a Child Nutrition and Physical Activity Advisory Committee to develop policies on nutrition and physical activity.	7-2, 19-3, 22-9, 22-10	Filed 12/02, referred to Committee on Education, Arts, Humanities
Senate, No. 295, House, No. 322, and House No. 1258	State/ Schools	Each of these laws would make health education a "core subject" taught in public schools by amending the law covering statewide educational goals and academic standards (MGL Ch. 69, S. 1D).	7-2	Status (all): Filed 1/03, referred to Committee on Education, Arts, Humanities
An Act Relative to Local	State/	This bill states that that every public school district shall establish a Health	7-2	Filed 1/03, referred to

Control of Health Education Curriculums – House, No. 323	Schools	Educational Curriculum Committee.		Committee on Education, Arts, Humanities
ENVIRONMENTAL HEALTH: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Determination of environmental impact by agencies; damage to environment; prevention or minimizing – MGL Ch. 30 SS. 61-2H	State/ Work site, Community	All agencies, departments, boards, commissions and authorities of the commonwealth shall review, evaluate, and determine the impact on the natural environment of all works, projects or activities conducted by them and shall use all practicable means and measures to minimize damage to the environment.	8-1, 8-4, 8-13, 8-14, 8-17, 8-20, 8-21, 8-24, 8-25, 8-27, 8-28	Passed in response to the MA Environmental Policy Act of 1972 (MEPA)
Examination of water supply; regulations; assistance to cities, towns and districts for protection and conservation of groundwater aquifers and recharge areas, etc. – MGL Ch. 111 S. 160	State/ Community	DPH may cause examinations of such waters to be made to ascertain their purity and fitness for domestic use, or the possibility of their impairing the interests of the public or of persons lawfully using them or of imperilling the public health. It may make rules and regulations and issue such orders to prevent the pollution and to secure the sanitary protection of all such waters used as sources of water supply and to ensure the delivery of a fit and pure water supply to all consumers. It may delegate the granting and withholding of any permit ... DEP shall establish a program to assist the cities, towns and districts of the commonwealth to protect and conserve groundwater aquifers and recharge areas, surface water resources and watersheds, and land adjacent to, or nearby said resources.	8-5, 8-6, 8-7	
Regional Planning – MGL Ch. 40B (the Comprehensive Permit Law)	State/ Community	This permits a city or town to plan jointly with cities or towns to promote with the greatest efficiency and economy the coordinated and orderly development of the areas within their jurisdictions and the general welfare and prosperity of their citizens.	8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	It was enacted in 1969 to address the affordable housing issue.
760 CMR 31.01(2)(g): Housing Appeals Committee: Criteria For Decisions Under MGL Ch. 40B, Sections 20-23	State/ Community	The new regulation will make Chapter 40B more consistent with "smart growth" principles. It permits state housing officials to screen all new Chapter 40B housing proposed in MA. DHCD will designate public or quasi-public entities to review all proposals, and officials are expected to reject plans that aggravate urban sprawl.	8-1, 8-4, 8-13, 8-14, 8-17, 8-20, 8-21, 8-24, 8-25, 8-27, 8-28	
Community Preservation Act – MGL Ch. 44B	State/ Community	The Act allows individual communities to (through a local ballot initiative) to raise funds for affordable housing, open space protection and historic preservation through a property tax surcharge.	8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	Paid for with matching funds for communities by the state. As of 11/02, 58 communities have adopted the Act.
House, No. 3461 and House, No. 1025	State/ Community	Both follow up on the Community Preservation Act. The former states that cities and towns be authorized to place before the voters a question on re-acceptance of the community preservation laws. The latter states that cities	8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-	(both): Filed 1/03; referred to Committee on Taxation

		and towns which do not accept the provisions of the community preservation law be exempt from payment of surcharges to the registries of deeds.	17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	
An Act to Enhance the Effects of Regulations Aimed at the Protection of Public Health, Natural Resources, and the Environment – House, No. 592	State/ Community, Work site	This bill states that the Department of Environmental Protection and the Department of Public Health shall create an Advisory Committee on Public Health and/or Environmental Impact Assessment and Benefit-Cost Analysis. The Advisory Committee shall publish the draft recommended guidelines in the Massachusetts Register concurrently with delivery of said guidelines to persons specified.	All of ch. 8	Filed 1/03; referred to Committee on Natural Resources and Agriculture
An Act for A Healthy Massachusetts: Safer Alternatives to Toxic Chemicals – Senate, No. 1268 and House No. 2275	State/ Community, Work site	These bills would make it the policy of the Commonwealth to ensure the replacement of the use, manufacture, emission and distribution of each of the priority toxic substances with the safest available alternatives.	8-1, 8-3, 8-4, 8-14	(both): Filed 1/03; referred to Committee on Natural Resources and Agriculture
To Promote Sustainable Agriculture and the Use Of Non Toxic Pest Management – Senate, No. 320	State/ Community, Work site	This bill states that UMass Lowell shall establish, operate, and maintain a Non Toxic Pest Management Center to reduce the use of toxic pest management methods in Massachusetts and to provide education and training in pest prevention and non-toxic methods of pest control.	8-24, 8-25, 8-26, 8-27	Filed 1/03, referred to Committee on Education, Arts, Humanities
An Act Relative to the Massachusetts Sustainable Development Act – Senate, No. 1254	State/ Community, Work site	The bill states that in order for sustainable development to be successful, land use planning must be as comprehensive as possible and address multiple needs of communities including, but not limited to: natural, cultural and other resources; housing; economic development, open space and recreation; infrastructure including services and facilities; and transportation.	8-2, 8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	Filed 1/03; referred to Committee on Natural Resources and Agriculture
An Act to Promote Livable Communities in the Commonwealth – Senate, No. 1251	State/ Community, Work site	The obligation to protect the many valuable resources of the Commonwealth is shared by local, regional, state and national governments, civic organizations, businesses and the general public. Responsibilities are delineated.	All of ch. 8	The cost is \$35 million. Given the current budget situation, funding is unlikely. Filed 1/03; referred to Committee on Natural Resources and Agriculture
An Act to Promote Livable Communities and Zoning Reform Act – Senate, No. 1250	State/ Community, Work site	This bill states (1) state policies and spending decisions should encourage growth in appropriate and identified places. (2) state resources should be targeted to support development in areas where infrastructure is already in place. (3) state polices and spending decisions should not encourage or subsidize sprawl. (4) state policies and spending decisions should discourage growth in environmentally sensitive areas in order to protect the Commonwealth's most valuable remaining natural resources before they are lost.	8-2, 8-4	Filed 1/03; referred to Committee on Natural Resources and Agriculture
Assisting Communities in the Housing Shortage – Executive Order 418	State/ Community	The Order makes approximately \$30,000 in planning funds available to communities provided that they create community development plans (or equivalent plans) that address the 4 required planning areas: open space	8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-	Funded by the state (3 agencies) Signed by Gov. Celluci; active.

		and recreation, economic dev., housing, and transportation.	17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	
Planning for Growth – Executive Order 385	State/ Community	To promote sustainable economic development; All Agencies shall promote, assist and pursue the rehabilitation and revitalization of infrastructure, structures, sites, and areas previously developed and still suitable for economic (re)use.	8-5, 8-6, 8-11, 8-12, 8-14, 8-15, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-26	Planning for Growth has been folded into the Community Preservation Initiative; No funding for EO 385. Signed by Gov. Weld; being ignored.
MENTAL HEALTH: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Mental health; regulations – MGL Ch. 123, S. 2	State/ Healthcare, Community	The department (of Mental Health) shall, in accordance with section two of chapter thirty A and subject to appropriation, adopt regulations, which establish procedures and the highest practicable professional standards for the reception, examination, treatment, restraint, transfer and discharge of mentally ill persons in departmental facilities.	18-6, 18-8, 18-9, 18-12, 18-14	
Authority, Mission, and Definitions (of DMH) – 104CMR 25.00	State/ Community, Healthcare	This regulation covers the authority, mission, and definitions pertaining to the role of the Department of Mental Health. 104CMR 28.00 Subpart A covers operational standards for community programs. 104CMR 29.00 covers service planning.	18-4, 18-6, 18-7, 18-9, 18-10, 18-12, 18-13, 18-14	
Medicare Wellness Act of 2003 – H.R. 1860	Federal/ Healthcare, Community	This bill would add the under Medicare coverage - Screenings for clinical depression to an individual through qualified health professionals in accordance with the requirements of this paragraph, if the individual has not had such a screening performed during the preceding 12 months.	18-1, 18-2, 18-6, 18-7	4/29/03 Referred to House committee. Referred to the Committee on Energy and Commerce, and to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, for consideration of such provisions within the jurisdiction of the committee concerned.
House, No. 2986	State/ Community, Healthcare	This bill would require the departments Public Health and Mental Health and the Division of Insurance to report to the General Court relative to an analysis of mental health insurance benefits.	18-6, 18-9, 18-12	Filed 1/03, referred to Committee on Insurance
House, No. 3536	State/ Community, Healthcare	This bill would require insurance companies to provide culturally competent and linguistically appropriate mental health care services.	18-12, 18-13	Filed 1/03, referred to Committee on Insurance
House, No. 3314	State/ Community, Healthcare	This bill has to do with reimbursement for collateral services by mental health insurance providers. [full text unavailable online]	18-9	Filed 1/03, referred to Committee on Insurance
House, No. 2978	State/	This bill pertains to mental health examinations and services for inmates of	18-8, 18-11	Filed 1/03, referred to

	Community, Healthcare	certain correctional institutions in the Commonwealth. [full text unavailable online]		Committee on Human Services & Elder Affairs
House, No. 162	State/Community, Healthcare	This bill would provide for appropriate medical care for persons in mental health facilities.	18-1, 18-2, 18-3. 18-518-7, 18-9	Filed 1/03, referred to Committee on Human Services & Elder Affairs
House, No. 1124	State/Healthcare, Community	This bill would provide for point of service options for mental health patients.	18-6, 18-9	Filed 1/03, referred to Committee on Insurance
House, No. 1898	State/Community, Healthcare	This legislation would provide for the establishment of a mental health court for the Commonwealth.	18-9	Filed 1/03, referred to Committee on the Judiciary
NUTRITION AND OVERWEIGHT: Policy	Scale/Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/Status
Food Labeling – 21CFR101 Sections 101.10, 101.43, and 101.45	Federal/Community	Nutrition labeling shall be provided upon request for any restaurant food or meal for which a nutrient content or a health claim is made; Substantial compliance of food retailers with the guidelines for the voluntary nutrition labeling of raw fruit, vegetables, fish; Guidelines for the voluntary nutrition labeling of raw fruits, vegetables, fish.	19-1 – 19-11	
Section 213 (a) of the US Tax Code	Federal/Healthcare, Community	The cost of a weight-loss program undertaken at a physician's direction to treat an existing disease (such as heart disease, high blood pressure, etc.) can be included in medical expenses. (But the cost of a weight-loss to maintain general good health cannot be included.)	19-1, 19-2, 19-3	The IRS now accepts weight loss programs as part of medical care and these costs are approved for reimbursement through "flexible spending" accounts for medical expenses at work.
Food Stamp Program (in response to the Food Stamp Act of 1977 and the resulting regulations by USDA in 7CFR270-282) – 106 CMR 360 Dept of Transitional Assistance	Federal/Community	The purpose of the Food Stamp Program is to raise the nutritional level among low-income assistance units whose limited food purchasing power contributes to hunger and malnutrition among such assistance units.	19-1 – 19-11, 19-18	Provision of benefits is subject to the availability of sufficient appropriations by Congress.
Special Supplemental Nutrition Program for Women, Infants and Children (WIC) – 7CFR246	Federal/Community	This program provides supplemental foods and nutrition education through payment of cash grants to State agencies that administer the program through local agencies at no cost to eligible persons. By law, the Department of Public Health administers WIC in Massachusetts (MGL Ch. 111 S. I). Intent of the program; definition of eligibility; and allocation of WIC funds are described in another state law (MGL Ch. 111, S. 2).	19-1 – 19-11, 19-18	
National School Lunch Program (7CFR210)	Federal/Schools	This federally assisted meal program provides nutritionally balanced, low-cost or free lunches to children each school day.	19-3 – 19-11, 19-15, 19-18	Most of the support USDA provides to schools in the National School Lunch Program comes in the form of a cash reimbursement for each meal served.

School Breakfast Program (7CFR220)	Federal/ Schools	This federally assisted meal program provides nutritionally balanced, low-cost or free breakfasts to children each school day.	19-3 – 19-11, 19-15, 19-18	Schools submit a claim to their state agency for meals served. USDA reimburses the State, which in turn reimburses the local school food authority.
Special Milk Program (7CFR215)	Federal/ Schools	This program provides milk to children in schools and childcare institutions that do not participate in other federal child nutrition meal service programs. The program reimburses schools for the milk they serve.	19-3, 19-4, 19-8, 19-9, 19-11, 19-15, 19-18	The Federal reimbursement for each 1/2-pint of milk sold in school year 1997-98 was 12.5 cents. For children who receive their milk free, USDA reimburses schools the net purchase price.
Summer Food Service Program (7CFR225)	Federal/ Schools	This program ensures that children in lower-income areas can continue to receive nutritious meals during long school vacations, when they do not have access to school lunch or breakfast.	19-3 – 19-11, 19-15, 19-18	
Child and Adult Care Food Program (7CFR226)	Federal/ Community, Schools	This program provides nutritious meals and snacks to infants, young children, and impaired adults who receive day care. This program also offers after school snacks in sites that meet eligibility requirements.	19-3 – 19-11, 19-15, 19-18	
Women, Infants, and Children (WIC) Program – MGL Ch. 111I	Federal/ Community	The department of public health shall administer the WIC program to provide supplemental foods and nutrition education to pregnant, postpartum, and breastfeeding women, infants and young children.	19-1 – 19-11, 19-18	The commonwealth and USDA or other successor federal agency authorized to fund this.
MDFA Farmer's Market Coupon Program	State/ Community	This program provides fresh, nutritious, local fruits and vegetables to those at nutritional risk, while supporting local farm sales at farmers' markets.	19-1 – 19-11, 19-18	Paid for with DFA Funds/Grants/Programs; Other State Environmental Grants and Funds; Federal Funds.
Minimum nutritional standards for school food services; guidelines for reimbursement – MGL Ch. 69 S. 1C	State/ Schools	This authorizes the Board of Education to establish minimum nutritional standards for school food services, and establishes the School Lunch and School Breakfast Programs.	19-3, 19-5 – 19-11, 19-15	603 CMR 29.05: MGL Ch. 15 Competitive Foods - prohibits sale of candy and carbonated beverages during lunch periods in MA; but it was sunsetted in 7/97.
Extension of school lunch periods for serving lunches to authorized elderly persons – MGL Ch. 19A S. 37	State/ Community, Schools	The school committee of any city or town with the approval of the secretary of elder affairs may extend the school lunch period for the purpose of serving lunches to authorized elderly persons. The lunches served shall meet the nutritional standards established in accordance with Title III of the Older Americans Act of 1965, as amended.	19-1, 19-2, 19-5 – 19-11, 19-18	
Office of Child Care Services: Group Day Care and School Age Child Care Programs - Food and Food Preparation – 102 CMR 7.11	State/ Community	The licensee shall ensure that children receive nutritional snacks and meals prepared in a safe and sanitary manner. (1) Written Menus. (2) Meal Schedules. (3) The licensee shall ensure that children's nutritional needs are met in accordance with USDA standards. The licensee or parent(s) may provide the meals and/or snacks for the children.	19-3 – 19-11	enforceability unclear
IMPACT Act – H.R. 716	Federal/ Community	The Secretary, acting through the Director of the CDC and in consultation with Administrator of HRSA, the Director of the Indian Health Service, and the heads of other appropriate agencies, shall award competitive grants to cities, counties, tribes, and States to plan, implement, and evaluate culturally	19-1, 19-2, 19-3	2/26/03 Referred to House subcommittee. Referred to the Subcommittee on Health.

		and linguistically appropriate and competent community-based programs and promote good nutrition and physical activity to prevent overweight, obesity and related serious and chronic medical conditions that may result from being overweight or obese.		
An Act Requiring Restaurants to Offer Healthy Choice Meals on Children's Menus – House, No. 103	State/ Community	This legislation would require restaurants to include low fat items on children's menus.	19-3, 19-8, 19-9	Filed 1/03, referred to Committee on Commerce and Labor
An Act Relative to a Tax Deduction for Certain Weight Loss Programs – Senate, No. 1790	State/ Community, Healthcare	A deduction in a portion of the expense of a weight loss program recommended in writing by a physician for a medically valid reason shall be increased by that portion of the expense of the program excluded under the Code. This law would amend MGL Ch. 62 S. 3B 4b.	19-1, 19-2, 19-17	Filed 1/03, referred to Committee on Taxation
An Act Promoting Healthy Alternatives In Public School Food Programs – Senate, No. 303	State/ Schools, Community	The purpose of this bill is to reduce obesity and improve the health of children by establishing a 5-year school nutrition demonstration project administered by the Department of Education that implements stricter standards of nutrition in public schools. The demonstration program is voluntary for at least 20 schools and shall commence in the fall of the school year immediately following passage of the act.	19-3 – 19- 11	Filed 1/03, referred to Committee on Education, Arts, Humanities
OCCUPATIONAL SAFETY AND HEALTH: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Police officers or firefighters; tobacco smoking – MGL Ch. 41 S. 101A	State/ Work site, Community	Subsequent to 1/1/88, no person who smokes any tobacco product shall be eligible for appointment as a police officer or firefighter in a city or town and no person so appointed after said date shall continue in such office or position if such person thereafter smokes any tobacco products.	20-9, 27-1, 27-12	
An Act Providing For Healthy Alternatives In Vending Machines Located In State-Owned Buildings – Senate, No. 1665	State/ Work site	The superintendent shall ensure that all state buildings with licensed vending machines shall also have a vending machine specializing in healthy and natural snacks. The law would amend MGL Ch. 8 S. 9.	20-9, 19-1, 19-5, 19-6, 19-7, 19-8, 19-9, 19-10, 19-11	Filed 1/03, referred to Committee on State Administration
PHYSICAL ACTIVITY AND FITNESS: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Accommodation of bicycle and pedestrian traffic – MGL Ch. 90E S. 2A	State/ Community, Work site	Mandates that engineers shall use sound engineering practice in making reasonable provisions to accommodate bicycles and pedestrians in project designs. It includes criteria to consider. Reasonable bicycle and pedestrian accommodation to be provided in project designs.	22-1, 22-2, 22-6, 22-14, 22-15	Passed in response to MassHighway Engineering Directive E-98-003, 5/5/98.
Sidewalks; establishment – MGL Ch. 83 S. 25	State/ Community	The aldermen of a city or the selectmen or road commissioners of a town may, if in their judgment the public convenience so requires, establish sidewalks in the public ways thereof and determine the grade of each such sidewalk and the materials with which it shall be constructed, and may order the reconstruction of existing sidewalks.	22-1, 22-2, 22-6, 22-14	
By-Laws of Towns –	State/	Towns may, for the purposes hereinafter named, make such ordinances and	22-1, 22-2,	

MGL Ch. 40 S. 21	Community	by-laws, as they may judge most conducive to their welfare, which shall be binding upon all inhabitants thereof... (3) Removal of Snow from Sidewalks ... (16B) For designating areas upon public streets to be used as bicycle lanes and for establishing a noncriminal ticketing procedure.	22-6, 22-14, 22-15	
Transportation Bond Bill 1994, Section 96	State/ Community, Work site	This authorizes and directs the general manager of the MBTA , or a designee of the GM, to provide for the accommodation of bicycle patrons and pedestrians in the planning, design, reconstruction and construction of any project undertaken by the MBTA...	22-1, 22-2, 22-13, 22-14, 22-15	It was later amended to provide access to certain commuter rail stations.
Adult physical fitness programs – MGL Ch. 71 S. 71B	State/ Community, Schools	A school committee may offer adult physical fitness programs in the gymnasium of any school at any time during which such gymnasium facilities are not being used for school purposes.	22-1, 22-2, 22-3, 22-4, 22-5, 22-12	
Physical Education – MGL Ch. 71 S. 3	State/ Schools	Physical education shall be taught as a required subject in all grades for all students in the public schools for the purpose of promoting the physical well being of students.	22-6, 22-7, 22-8, 22-9, 22-10	In 1996 this mandate was eliminated by MDOE, leaving the decision of how often and for how long students should partake in PE classes to school committees.
Office of Child Care Services: Group Day Care and School Age Child Care Programs - Curriculum, Activities, etc. – 102 CMR 7.23	State/ Community	The licensee shall provide a well-rounded variety of age-appropriate activities, toys, and equipment for children designed to promote their individual growth and development. (1) Required Plan. The licensee shall establish a written plan describing the various activities of the center for a typical week which shall be posted in a place which can be easily viewed by staff and visitors. Such plan shall indicate time for the following activities, for all children, infants and/or toddlers: (d) outdoor play; (e) indoor activities; etc.	22-6	
Accessing the Future: The Intermodal Transportation Policy Plan for the Commonwealth of MA (Mass Highway)	State/ Community, Work site	To guide transportation decisions that will ensure maximum mobility for everyone; The plan establishes policies, etc. to plan, design, construct, maintain, and operate a safe, cost-effective accessible, coordinated, and multi-modal statewide transportation system that provides increased mobility for people and goods. Prepared by the Executive Office of Transportation and Construction.	22-1, 22-2, 22-13, 22-14, 22-15	Several relevant policies, goals, and objectives have already been accomplished.
MA Pedestrian Transportation Plan (Mass Highway)	State/ Community, Work site	To serve as a guide to state, regional, and local transportation planning to better serve walkers; Recommendations are made so as to develop a more pedestrian focused transportation system. The plan is sponsored by the Federal Highway Administration, the MA Executive Office of Transportation and Construction, and the MA Highway Dept.	22-1, 22-2, 22-6, 22-14	Plan action items have all been accomplished, are ongoing, or are underway; there are also several recommended actions listed.
MA Statewide Bicycle Transportation Plan (Mass Highway)	State/ Community, Work site	To develop policies and practices to improve conditions for bicycling in MA; The plan identifies opportunities and needs to advance statewide bicycle program. The plan is sponsored by the Federal Highway Administration, the MA Executive Office of Transportation and Construction, and the MA Highway Dept.	22-1, 22-2, 22-6, 22-15	Plan action items have all been accomplished, are ongoing, or are underway; there are also several recommended actions listed.
Forests and Parks – Waiver (NPS)	State/ Community	Massachusetts' senior citizens over age 62 can qualify for a free senior citizen pass for day use areas.	22-1, 22-2, 22-4, 22-5, 22-14	
IMPACT Act – H.R. 716	Federal/ Community	See above.	22-1, 22-2, 22-3, 22-6,	2/26/03 Referred to House subcommittee. Referred to

			22-7	the Subcommittee on Health.
House, No. 1611	State/ Community	This bill would direct the Executive Office of Transportation and Construction to designate bicycle touring routes on certain roadways of the Commonwealth.	22-1, 22-2, 22-6, 22-15	Filed 1/03; referred to Committee on Transportation
House, No. 1342 and House, No. 1732	State/ Community	Both bills are intended to enhance pedestrian safety at crosswalks.	22-1, 22-2, 22-6, 22-14	Filed 1/03; referred to Committee on Public Safety
Safe Routes to School Bill – House, No. 1610	State/ Schools, Community	Designed to make transportation funding and programmatic support available to improve routes for walking and cycling to schools.	22-6, 22-7, 22-14, 22- 15	Filed 1/03; referred to Committee on Transportation
An Act Establishing a P.E. Requirement in the Public Schools – House, No. 324	State/ Schools	The law would reestablish a physical education requirement in the public schools as a "core subject."	22-8, 22-9, 22-10	Filed 1/03, referred to Committee on Education, Arts, Humanities
An Act Further Regulating P.E. Requirements in Public Schools – House, No. 1647	State/ Schools	This legislation would further regulate physical education requirements in the public schools.	22-8, 22-9, 22-10	Filed 1/03, referred to Committee on Education, Arts, Humanities
An Act Amending the Physical Education Regulations – Senate, No. 276	State/ Schools	This legislation would require the teaching of physical education in the public schools of the Commonwealth for a maximum period of two grades.	22-8, 22-9, 22-10	Filed 1/03, referred to Committee on Education, Arts, Humanities
TOBACCO USE: Policy	Scale/ Venue(s) affected	Purpose or contents	HP 2010 Objective (s)	Comments/ Status
Advisory committee on health care and tobacco control – MGL Ch. 29D S. 5	State/ All	This law establishes an advisory committee on health care and tobacco control, which shall recommend to the governor and the general court the most effective and prudent uses of the funds available for financing the present and future health related and tobacco control needs of MA.	All of Ch. 27	
Tobacco products; annual reports of added constituent and nicotine yield ratings – MGL Ch. 94 S. 307B	State/ Work site	For the purpose of protecting the public health, any manufacturer of cigarettes, snuff or chewing tobacco sold in the commonwealth shall provide DPH with an annual report, which lists for each brand of such product sold certain information...	27-1, 27-2	
Health protection fund – MGL Ch. 94 S. 307B	State/ All	There shall be established and set up a separate fund known as the Health Protection Fund (a) for comprehensive school health education programs that incorporate information relating to the hazards of tobacco use; (b) for workplace-based and community smoking prevention and smoking cessation programs, for tobacco-related public service advertising and for drug education programs; (c) for the support of community health centers and their programs of prenatal and maternal care - such prenatal and maternal care programs must incorporate smoking cessation assistance and guidance regarding the harmful effects of smoking on fetal development; and (d) for ongoing activities, by DPH, relating to the monitoring of morbidity and mortality from cancer and other tobacco-related illnesses in the	27-1, 27-2, 27-5, 27-6, 27-7, 27-11, 27-12	

		commonwealth.		
Collection of excises imposed on residents purchasing cigarettes and tobacco products in interstate commerce – MGL Ch. 64C S. 5A	State/ Community	The department shall aggressively seek to collect all excises imposed by this chapter from residents of the commonwealth who purchase cigarettes and tobacco products in interstate commerce.	27-21	
Smoking in public places – MGL Ch. 270 S. 22	State/ All	Smoking is not permitted in restaurants that seat more than 75 people, except in a designated smoking area. The non-smoking area must be no less than 200 sq. ft. of floor space; Smoking is prohibited in public elevators; supermarket or retail food outlets; in or upon any public mass transit conveyances, indoor platform or enclosed outdoor platform; at any open meeting of a governmental body; and in any courtroom; Smoking is prohibited in any courthouse, school, college, university museum, library, train, airplane, airport waiting area, health care facility waiting area, group child care center, school-aged day care center, family day care center, or other public building, except in a designated smoking area.	27-1, 27-10, 27-12, 27-13	
Smoking in buildings used for flea markets – MGL Ch. 270 S. 23	State/ Community, Work site	No person shall smoke in buildings used for operating a flea market, except as otherwise provided. The owner, manager or other person in charge of such a building, shall post a notice in a conspicuous place at each entrance indicating that smoking is prohibited therein, except in an area specifically designated as a smoking area.	27-1, 27-10, 27-12, 27-13	
Classification of convalescent and nursing homes, infirmaries, etc. – MGL Ch. 111 S. 72	State/ Community, Work site, Healthcare	Nursing homes must designate no smoking sections in common areas. Smoking by nursing home employees is prohibited in all patient care areas.	27-1, 27-10, 27-12, 27-13	
Selling or giving tobacco to minors – MGL Ch. 270 S. 6	State/ All	It is illegal to sell tobacco products to any person under the age of 18. It is illegal for anyone, except a parent or guardian, to give a tobacco product to an individual under the age of 18.	27-2, 27-14, 27-15	67% communities have passed an ordinance restricting youth access to tobacco. [While state law makes it illegal to sell or give tobacco to minors, these communities have passed a local ordinance to enforce restriction of tobacco access to youth - and to punish those who violate the law.]
Regulation of vending machines; penalties for particular offenses; sales to children – MGL Ch. 64C S. 10	State/ Work site, Community	Owners of vending machines that contain cigarettes or tobacco must have attached on the front of the machine a notice furnished by the Commissioner of Revenue reading: "Persons under 18 are prohibited from using this machine."	27-2, 27-14, 27-15	
Cigarette Excise – MGL Ch. 64C S. 5A	State/ Work site, Community	The department shall aggressively seek to collect all excises imposed by this chapter from residents of the commonwealth who purchase cigarettes and tobacco products in interstate commerce.	27-21	

Additional 15% excise payments; credit to children and seniors; health care assistance fund – MGL Ch. 64C S. 7B	State/ Work site, Community	Licenses required to file a return under section sixteen of chapter 62 C for products sold by such licensee in the commonwealth shall pay to the commissioner an excise that shall equal 15% of the price paid by such licensee or unclassified acquirer to purchase cigars and smoking tobacco so sold, imported or acquired and held for sale or consumption in the commonwealth...	27-21	
Tobacco products; annual reports of added constituent and nicotine yield ratings – MGL Ch. 94 S. 307B	State/ Work site, Community	For the purpose of protecting the public health, any manufacturer of cigarettes, snuff or chewing tobacco sold in the commonwealth shall provide the department of public health with an annual report...	27-1, 27-2	
Sales and distribution of cigarettes and smokeless tobacco – 940 CMR 21.00	State/ Work site, Community	This regulation places advertising and point of purchase restrictions on the sale of cigarettes and smokeless tobacco products to prevent unfair or deceptive acts or practices.	27-16, 27-17	
Student use of tobacco products – MGL Ch. 71 S. 2A	State/ Schools, Community	It shall be unlawful for any student, enrolled in either primary or secondary public schools in the commonwealth, to use tobacco products of any type on school grounds during normal school hours. Each school committee shall establish a policy dealing with students who violate this law.	27-2, 27-3, 27-11, 27-14	
Dormitories; nonsmoking rooms; rules and regulations – MGL Ch. 15A S. 27	State/ Schools, Community	Each public institution of higher education which provides housing for students in dormitories shall establish rules and regulations providing that a certain number of rooms shall be reserved for nonsmokers.	27-2, 27-10	
Medicare Wellness Act of 2003 – H.R. 1860	Federal/ Healthcare, Community	This bill would add the following supplemental preventive health services under Medicare coverage - therapy and counseling for cessation of tobacco use for individuals who use tobacco products or who are being treated for tobacco use.	27-5, 27-6, 27-7, 27-8	4/29/03 Referred to House committee. Referred to the Committee on Energy and Commerce, and to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, for consideration of such provisions within the jurisdiction of the committee concerned.
House, No. 2739	State/ Schools, Community	This bill delineates the penalties for the use of tobacco products by students. [full text unavailable online]	27-2, 27-11, 27-14	Filed 1/03, referred to Committee on Criminal Justice
An Act Prohibiting the Sale of Tobacco Products to and Possession by Persons Under 19 – House, No. 904	State/ Community, Schools, Work site	This bill would change the age in the current law (below) from 18 to 19: Whoever sells a cigarette, chewing tobacco, snuff or any tobacco in any of its forms to any person under the age of eighteen or, not being his parent or guardian, gives a cigarette, chewing tobacco, snuff or tobacco in any of its forms to any person under the age of eighteen shall be punished by a fine of not less than one hundred dollars for the first offense, not less than two hundred dollars for a second offense and not less than three hundred dollars for any third or subsequent offense.	27-3, 27-4, 27-14, 27-15	Filed 1/03, referred to Committee on Health Care

An Act Relative to the Purchase of Tobacco by Minors – House, No. 702	State/ Community, Schools, Work site	This bill would add a section to the law on purchase of tobacco by minors stating that a persons under 18 who purchases or attempts to purchase tobacco in any form or makes arrangements with any person to purchase or in any way procures such tobacco or who willfully misrepresents his age, or in any way alters, defaces or otherwise falsifies his identification offered as proof of age with the intent of purchasing tobacco either for his own use or the use of any other person will be punished by a fine of \$300.	27-3, 27-4, 27-14, 27-15	Filed 1/03, referred to Committee on Health Care
An Act Prohibiting the Smoking of Tobacco Products in Certain Areas – Senate, No. 624	State/ Community, Work site	The bill defines a "Smoke Free zone" as a certain specified area within which smoking shall be prohibited. The smoke free zone shall extend 25 feet beyond the perimeter of the specified area.	27-10, 27-12, 27-13	Filed 1/03, referred to Committee on Health Care
An Act Banning the Sale of Tobacco Through the Use of Vending Machines – Senate, No. 132	State/ Community, Work site	This legislation would ban the sale of tobacco through the use of vending machines.	27-1, 27-2, 27-5, 27-12	Filed 1/03, referred to Committee on Commerce and Labor
An Act Relative to Online Tobacco Sales – Senate, No. 67	State/ Community	This legislation would prohibit the sale of tobacco products to persons under the age of 18 through online transactions.	27-2, 27-3, 27-14	Filed 1/03, referred to Committee on Commerce and Labor
House, No. 2702	State/ Work site, Community	This bill would mandate that the advertising of tobacco products be prohibited as business tax deductions.	27-16	Filed 1/03, referred to Committee on Taxation
An Act to Protect the Public Health by Banning the Public Distribution of Free Smoking or Tobacco Products for Commercial Purposes – House, No. 497	State/ Community, Work site	This legislation would protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes.	27-1, 27-2	Filed 1/03, referred to Committee on Commerce and Labor

Date last updated: 5/06/03

*Policies that are shaded are pending.

Note: The **Code of Massachusetts Regulations** (CMR) is "Administrative Law," i.e., regulations created and enforced by Executive Branch Agencies. The **Massachusetts General Laws** (MGL) are considered "Statutory Law." These are Acts and Statutes passed by the General Court of Massachusetts. **Acts** passed in each legislative session are known as session laws. Massachusetts publishes its session laws annually as the Acts and Resolves. Acts comprise most of the enacted legislation each year; these acts range from appropriation measures to amendments of existing laws. **Resolves** are statutes with limited force and effect. **Executive Orders** are any written or printed order, directive, rule, regulation, proclamation or other instrument promulgated by the governor.