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House Passes Bill to Criminalize Fentanyl Trafficking

New Legislation enhances ongoing and multifaceted effort to confront the substance addiction epidemic facing Massachusetts

(BOSTON) – Representative Kate Hogan joined her colleagues in the House of Representatives to pass legislation criminalizing the trafficking of fentanyl. Drug traffickers frequently combine fentanyl, the most potent opioid available for medical use, with heroin which can create a lethal mix.

Under existing law, drug traffickers can only be charged with manufacturing, dispensing, or possessing fentanyl. The current opioid crisis is becoming increasingly destructive because individuals using heroin are often unaware that the drug contains fentanyl. Fentanyl is 50 to 100 percent more potent than morphine and 30 to 50 percent more potent than heroin.

“Combatting the opioid crisis in Massachusetts and supporting those struggling with addiction requires a comprehensive and multi-faceted approach. By criminalizing the trafficking of fentanyl we close a loophole in our existing laws,” said Representative Kate Hogan. “I am looking forward to hearing from the Administration, district attorneys, and local addiction and recovery programs about the best preventative and recovery practices being used across the Commonwealth in a series of informational hearings hosted by the Committees on Public Health and Mental Health & Substance Abuse.”

Specifically, this legislation:

- Sets the threshold of fentanyl trafficking at more than ten grams;
- Includes any derivative or mixture containing fentanyl;
- Authorizes incarceration in state prison for up to 20 years.

This bill complements unprecedented investments in funding for addiction services and the landmark substance addiction law passed in 2014 which went into effect one week ago. That legislation seeks to set patients on a path to sustainable recovery by both increasing access to care and improving the standard of care. Under the new law, all insurance plans in the Commonwealth will cover acute treatment services, clinical stabilization and medical detox for up to fourteen days.

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