



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to M.G.L. c. 30A, §2, that the **Drug Control Program** within the Department of Public Health will hold a public hearing regarding a proposed amendments to regulation: **105 CMR 700.000: *Implementation of M.G.L. c. 94C***

The proposed amendments update the regulations which implement M.G.L. c. 94 C, the Controlled Substances Act which sets forth consistent standards for the safety, security and storage of controlled substances; outlines the requirements for practitioners and facilities to receive a Massachusetts Controlled Substances Registration (MCSR); and manages the Prescription Monitoring Program (PMP). The proposed amendments implement new statutes, align the regulation with other regulations, and clarify existing provisions.

The public hearing will be held at **2 pm on Monday, October 19, 2026**. The hearing will be conducted on a **moderated conference call**. The information for the moderated conference call is:

Dial-in Telephone Number: 888-996-4914
Participant Passcode: 4948916

A copy of the proposed regulation 105 CMR 700.000: *Implementation of M.G.L. c. 94C* may be viewed on the Department's website at www.mass.gov/dph/proposed-regulations or requested from the Office of the General Counsel by calling 617-624-5220.

Speakers who testify at the public hearing are requested to provide a copy of their oral testimony. The Department encourages all interested parties to submit testimony electronically to the following address: Reg.Testimony@mass.gov, or by mail to William Anderson, Office of the General Counsel, Department of Public Health, 250 Washington Street, Boston, MA 02108. All submissions must include the sender's full name and address. When electronically submitting comments, type "DCP Regulations" in the subject line and attach a Word document with your comments or type your comments in the body of your email. All submissions must include the sender's full name and address.

The Department will post all testimony that complies with these instructions on its website. **All comments must be submitted by 5:00 p.m. on Monday, October 19, 2026**. All comments received by the Department may be released in response to a request for public records.

If you are deaf or hard of hearing, or are a person with a disability who requires accommodation, please contact Stacy Hart at least 5 days before the hearing at Tel No. 857-274-1120, email Stacy.Hart@mass.gov, or TTY # 617-624-6001.

Small Business Impact Statement
105 CMR 700.000, *Implementation of M.G.L. c. 94C*
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 105 CMR 700.000

Estimate of the Number of Small Businesses Impacted by the Regulation: The proposed regulatory amendments are not expected to impact small businesses.

- **Will small businesses have to create, file, or issue additional reports?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Will small businesses have to implement additional recordkeeping procedures?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Will small businesses have to provide additional administrative oversight?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
No, the proposed regulatory amendments are not expected to impact small businesses.
- **Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)**
No. Statute requires promulgation of regulations in order to implement the new statutory provisions pertaining to Licensed Certified Professional Midwives and expanded flexibilities for the administration of treatments for gender affirming care and sexually transmitted infections and exemptions for drug testing services.
- **The remaining amendments clarify requirements and enhance flexibilities in the regulation or are corrective in nature.**
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No. There are no other regulations that duplicate or conflict with the proposed amendments to this regulation, although new, complementary regulations are being developed for the licensure investigation and discipline of Licensed Certified Profession Midwives, certification of Certified Medication Aides and the oversight of long-term care facilities.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
No, the proposed regulatory amendments are not expected to impact small businesses.

- Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
No, the proposed regulatory amendments are not expected to impact small businesses.
- Is the regulation likely to deter the formation of small businesses in Massachusetts?
No, the proposed regulatory amendments are not expected to impact small businesses.
- Is the regulation likely to encourage the formation of small businesses in Massachusetts?
No, the proposed regulatory amendments are not expected to impact small businesses.
- Does the regulation provide for less stringent compliance or reporting requirements for small businesses?
No, the relevant statutes require a single compliance standard for all regulated parties, and is not expected to impact small businesses.
- Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
No, the relevant statutes require a single compliance standard for all regulated parties, and is not expected to impact small businesses.
- Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
No. The proposed amendments are intended to clarify and streamline the regulation, making it easier for all regulated parties to comply. The proposed regulatory amendments implement statutory requirements and are not expected to impact small businesses
- Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
No. The proposed changes must be made through regulation to implement statutory requirements creating a new Massachusetts controlled substance registration for a new licensed profession and to provide for additional flexibilities for pharmacists to administer treatments relating to gender affirming care and sexually transmissible infections.
- Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
No, the proposed regulatory amendments are not expected to impact small businesses.