**MASSACHUSETTS RULES**

**SECTION I – GENERAL RULES**

**SECTION IV – OPTIONAL** **COVERAGES**

**29.** **ENDORSEMENTS**

The following is added to **Rule 29.D.3.e:**

**D. Endorsements Applicable To Specific Classes**

**(3.) Professional Liability Endorsements**

**e. Pharmacists Liability Coverage Options**

**(1) Pharmacists Amendatory Endorsement – MASSACHUSETTS Form No. 119838**

**(a) Description Of Coverage**

This endorsement is used to provide professional liability coverage for bodily injury, property damage and personal and advertising injury caused by the rendering of, or failure to render, professional services in connection with services in the practice of a retail pharmacist or pharmacy. Including injury arising out of administering of vaccinations, consulting services regarding over the counter prescription medications and providing Medication Therapy Management Services.

This endorsement excludes:

1. Caused by the willful violation of any applicable state statutes or ordinance relating to the sale of pharmaceuticals by or with the knowledge or consent of any insured;

**(ii)** Arising out of an insured's consulting, diagnostic, referral or similar service including performing blood tests, prescribing or administering any drugs or vaccinations, and managing drug therapy as required under any state statutes;

However, this Paragraph**(ii).** does not apply to the insured’s:

1. Administering of vaccinations in accordance with any applicable state or federal law;
2. Consulting services regarding over the counter and prescription medications; or
3. Providing of Medication Therapy Management services

**(iii)** Arising out of goods or products prescribed by any insured as permitted by any applicable statute.

**(b) Endorsement**

Use **Pharmacists Amendatory Endorsement – MASSACHUSETTS, FORM No. 119838**

**(c) Premium Determination**

**(i) Rating Factor**

**i.** Endorsement factor of 1.055 is multiplied by the loss cost published in table **29.D.3.e.(1)(c)(i)(LC).**