The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Healthcare Safety and Quality
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TO: Hospitals, Clinics, Dialysis Centers, and EMS Services

FROM: Teryl Smith, RN, MPH, Director, Bureau of Healthcare Safety and Quality

DATE: September 17, 2026

RE: An Act Relative to Toxic-Free Medical Devices

The purpose of this notice is to inform healthcare facilities and Emergency Medical Services (EMS) services about the enactment of Chapter 149 of the Acts of 2026, An Act Relative to Toxic-Free Medical Devices.

The law phases out the use of Di(2-ethylhexyl) phthalate ("DEHP"), a chemical linked to certain types of cancers, in intravenous (IV) bags and tubing in Massachusetts. DEHP is a manufactured chemical that is commonly added to plastics to make them flexible. DEHP is a colorless liquid with almost no odor. DEHP may be present in plastic products such as wall coverings, tablecloths, floor tiles, furniture upholstery, shower curtains, garden hoses, swimming pool liners, rainwear, baby pants, dolls, some toys, shoes, automobile upholstery and tops, packaging film and sheets, sheathing for wire and cable, medical tubing, and blood storage bags.[1]

Specifically, the law prohibits certain activities in the Commonwealth including:

- As of January 1, 2030, IV solution containers made with intentionally added DEHP are prohibited from sale or manufacture;
- As of January 1, 2035, IV tubing products with intentionally added DEHP are prohibited from sale or manufacture; and
- Replacement of DEHP with another ortho-phthalate is also prohibited.

The law exempts from the definition of IV solution containers: (1) human blood collection or storage bags; and (2) apheresis and cell therapy blood kits and bags, including integral tubing. Furthermore, the law exempts trace amounts of DEHP if it is not used for a function or technical

[1] https://wwwn.cdc.gov/TSP/substances/ToxSubstance.aspx?toxid=65

effect and is not more than 0.1% weight per weight, the percent concentration of the solute in the solution.

The Department of Public Health recommends that healthcare facilities and EMS services take the following steps to comply with the statutory timeline:

- Review and audit the composition of IV solution containers and tubing products in your organization to determine if any products contain DEHP.
- Institute policies requiring the use of DEHP free IV solution containers and tubing.
- Communicate to suppliers that your healthcare facility/EMS service is transitioning away from purchasing IV solution bags and tubing products containing DEHP. Several companies already manufacture non-DEHP medical products and devices.
- Meet with the product selection team and evaluate possible alternatives.
- Establish internal processes, metrics, and timelines for phasing out DEHP IV solution containers and DEHP tubing.
- Transition to alternatives by replacing existing products with safe alternatives without compromising patient safety or care.
- Educate staff on DEHP risks and the importance of using compliant products.

This memorandum is not a rule or regulation, nor should it be construed to provide individual advice. The Department may revise, change, update, or rescind this memorandum at any time.

If there are any questions, interested entities may contact:

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