HOUSE DOCKET, NO. 1771 FILED ON: 1/20/2011

HOUSE . . . . . No. 1522

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey Sánchez

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to to self referral..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jeffrey Sánchez	*15th Suffolk*
Jason M. Lewis	*31st Middlesex*
Bruce E. Tarr	
	☐ *[District]*
	☐

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HOUSE . . . . . No. 1522

By Mr. Sánchez of Boston, a petition (accompanied by bill, House, No. 1522) of Jeffrey Sánchez, Jason M. Lewis and Bruce E. Tarr relative to medical patient self referral. Public Health.

The Commonwealth of Massachusetts

An Act relative to to self referral..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 112 as appearing in the 2008 official edition is hereby amended by inserting, after section 12DD, the following:

Section 12EE. Any person registered or licensed pursuant to this chapter who refers a patient for medical care to any partnership, corporation, firm or other legal entity in which the registered or licensed person has a financial ownership interest shall disclose such interest to the patient and shall inform the patient that such care may be available from other health care providers in the patient's community.

Each patient who is referred by a registered or licensed person shall be furnished by each registered or licensed person with a written referral which states conspicuously on its face the following:

"The referring registered or licensed person maintains an ownership interest in the facility to which you are being referred for medical care. Medical care may be available elsewhere in the community."

For the purposes of this section, the term "ownership interest" shall mean any and all ownership interest including, but not limited to, any membership, proprietary interest, stock interest, partnership interest, co-ownership in any form or any profit-sharing arrangement but shall not apply to financial arrangements between a health maintenance organization organized in accordance with chapter one hundred and seventy-six G, or a preferred provider arrangement organized in accordance with chapter one hundred and seventy-six I, and its participating providers, and shall not apply to financial arrangements among participating providers of such health maintenance organization or such preferred provider arrangement.