SENATE DOCKET, NO. 1745 FILED ON: 1/21/2011

SENATE . . . . . No. 1148

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

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 requiring hospitals to notify patients of physician discipline.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard T. Moore	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 1745 FILED ON: 1/21/2011

SENATE . . . . . No. 1148

By Mr. Moore, petition (accompanied by bill, Senate, No. 1148) of Moore for legislation to require hospitals to notify patients of physician discipline [Joint Committee on Public Health].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *856* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act requiring hospitals to notify patients of physician discipline.

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

SECTION 1. Any hospital providing services in the Commonwealth shall have a by-law or bylaws which direct that the hospital, within 24 hours of instituting any disciplinary action against any physician providing services within the hospital or becoming aware of any disciplinary action taken by the hospital or by any subsidiary of the hospital or any physician group contracting to provide services within the hospital against any physician providing services within the hospital, shall notify all patients being cared for by that physician within that hospital. Such notification shall include, but not necessarily be limited to, (a) a personal discussion with the department chair or division chief, (b) a procedure to provide an alternative physician qualified to continue providing medical care for the patient being notified with attention to the needs and concerns of the patient, (c) a written account of the transfer of the patients care to the newly assigned physician with procedures to ensure that all relevant hospital records are properly updated, (d) a procedure to ensure that the newly appointed physician shall introduce him or herself to the patient within 24 hours of the transfer of care taking place, (e) the department chair shall confirm, within 24 hours of the transfer of care taking place, that the new physician assignment is satisfactory to the patient, (f) the department chair or division chief shall verify in writing that all of the above steps, and any additional procedures adopted by the hospital, have taken place and such writing shall be delivered to the president of the hospital or his or her designee.

19 SECTION 2. The term “hospital” shall mean any hospital licensed under
20 section fifty-one of chapter one hundred and eleven, the teaching hospital of the University of
21 Massachusetts Medical School and any psychiatric facility licensed under section nineteen of
22 chapter nineteen.