

**HOUSE . . . . . No. 1013**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Aaron Michlewitz*

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*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 adoption of the accompanying bill:

An Act relative to prohibition on public-private cost shift.

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PETITION OF:

NAME:

*Aaron Michlewitz*

DISTRICT/ADDRESS:

*3rd Suffolk*

**HOUSE . . . . . No. 1013**

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By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 1013) of Aaron Michlewitz that it shall be an unfair business trade practice for health care providers to attempt to recoup unreimbursed amounts paid by government payors by increasing charges to other nongovernmental payors. Health Care Financing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1040 OF 2013-2014.]

The Commonwealth of Massachusetts

—————  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
—————

An Act relative to prohibition on public-private cost shift.

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

1 Chapter 12C of the General Laws is hereby amended by after section 22 inserting the  
2 following new section:

3 23: Contracting Rights of Private Payors- Unfair Methods of Competition and Unfair or  
4 Deceptive Acts or Practices in the Conduct of Health Care Providers

5 It shall be an unfair business trade practice for any health care provider to attempt to  
6 recoup any unreimbursed amounts paid by government payors by increasing charges to other  
7 nongovernmental payors. Violations of this section shall be subject to enforcement by the office  
8 of the attorney general.

9           The center shall monitor health care provider charges to ensure compliance with this  
10 section and shall report any non-compliance to the attorney general. The center for health  
11 information and analysis in cooperation with the office of the attorney general shall promulgate  
12 regulations enforcing this subsection, which shall include penalties for noncompliance.