

HOUSE No. 01522

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 bill:

An Act relative to to self referral..

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Jeffrey Sánchez

15th Suffolk

Jason M. Lewis

31st Middlesex

Bruce E. Tarr

First Essex and Middlesex

HOUSE No. 01522

By Mr. Jeffrey Sánchez of Boston, petition (accompanied by bill, House, No. 01522) of Jeffrey Sánchez and others relative to medical patient self referral. Joint Committee on Public Health.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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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:

- 1 Chapter 112 as appearing in the 2008 official edition is hereby amended by inserting, after
- 2 section 12DD, the following:
- 3 Section 12EE. Any person registered or licensed pursuant to this chapter who refers a patient for
- 4 medical care to any partnership, corporation, firm or other legal entity in which the registered or
- 5 licensed person has a financial ownership interest shall disclose such interest to the patient and
- 6 shall inform the patient that such care may be available from other health care providers in the
- 7 patient's community.
- 8 Each patient who is referred by a registered or licensed person shall be furnished by each
- 9 registered or licensed person with a written referral which states conspicuously on its face the
- 10 following:

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

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