

HOUSE No. 1907

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 specialty licensure.

PETITION OF:

NAME:

Tackey Chan

DISTRICT/ADDRESS:

2nd Norfolk

HOUSE No. 1907

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 1907) of Tackey Chan relative to the definition and regulation of specialty health care providers. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2064 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to specialty licensure.

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

1 SECTION 1. The definition of “Expenditure minimum with respect to substantial capital
2 expenditures” in section 25B of chapter 111 of the General Laws, as appearing in the 2012
3 Official Edition, is hereby amended by inserting after the words “other than ambulatory surgery”
4 the following words:--

5 or other than expenditures with respect to a specialty health care provider

6 SECTION 2. The definition of “Health care facility” in said section 25B, as so
7 appearing, is hereby amended by inserting after the words “as defined in section fifty-two;” the
8 following words:--

9 specialty health care providers as defined in this section;

10 SECTION 3. Said section 25B, as so appearing, is hereby further amended by adding, the
11 following definition:--

12 “Specialty health care provider”, any entity including a physician practice providing
13 outpatient services typically provided in a hospital setting, including but not limited to: (1) an
14 entity providing anesthesia, conscious sedation and/or diagnostic injection services, including but
15 not limited to endoscopy services and excluding dental facilities; (2) an entity employing major
16 medical, diagnostic and/or therapeutic equipment, including but not limited to equipment defined
17 as new technology or as providing an innovative service, pursuant to this section and excluding
18 x-ray equipment; and (3) which is not a hospital, ambulatory surgical center or community health
19 center. The department shall promulgate regulations with respect to the classification of specialty
20 health care providers.

21 SECTION 4. Said chapter 111 is hereby further amended by inserting after section 53H
22 the following section: -

23 Section 53I. Notwithstanding any general or special law or regulation to the contrary, any
24 specialty health care provider shall be a clinic for the purpose of licensure under section 51 and
25 no original license shall be issued pursuant to said section 51 to establish any such specialty
26 health care provider clinic unless there is a determination by the department that there is a need
27 for such a facility. The department shall promulgate regulations to implement this section,
28 including with respect to the classification and grandfathering of existing specialty health care
29 providers.