

SENATE No. 01136

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 bill:

An Act relative to disciplinary actions under the Board of Registration in Medicine.

PETITION OF:

NAME:

Richard T. Moore

DISTRICT/ADDRESS:

Worcester and Norfolk

SENATE No. 01136

By Mr. Moore, petition (accompanied by bill, Senate, No. 1136) of Moore for legislation to shorten the time period for reporting disciplinary actions taken against physicians [Joint Committee on Public Health].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 863 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to disciplinary actions under the Board of Registration in Medicine.

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. Section 5E of chapter 111 of the General Laws, as so appearing, is
2 hereby amended by striking out the second sentence, and inserting in place thereof the following
3 sentence:- “Such report shall be made within ten days after any such settlement agreement has
4 been reduced to writing thereto or ten days after service of such arbitration award on the parties
5 and signed by all the parties.”

6 SECTION 2. Section 53B of chapter 111 of the General Laws, as so appearing, is
7 hereby amended by striking out, in the second sentence of the first paragraph, the word “thirty,”
8 and by inserting in place thereof the word “ten.”

9 SECTION 3. Section 70 of chapter 111 of the General Laws, as so appearing, is hereby
10 amended by inserting, in the first paragraph, after the words “written authorization from such
11 executor or administrator,” in the fifth sentence, the words, “or the board of registration in
12 medicine,”.

13 SECTION 4. Section 203 of chapter 111 of the General Laws, as so appearing, is
14 hereby amended by striking out, in the first sentence of paragraph (e), the word “thirty,” and by
15 inserting in place thereof the word “ten.”

16 SECTION 5. Section 5B of chapter 112 of the General Laws, as so appearing, is
17 hereby amended by striking out, in the second sentence of the first paragraph, the word “thirty,”
18 and by inserting in place thereof the word “ten.”

19 SECTION 6. Section 5C of chapter 112 of the General Laws, as so appearing, is
20 hereby amended by striking out, in the first sentence of the second paragraph, the word “thirty,”
21 and by inserting in place thereof the word “ten.”

22 SECTION 7. Section 5F of chapter 112 of the General Laws, as so appearing, is hereby
23 amended by inserting, in the first paragraph, after the word “eleven” in the first sentence, the
24 words, “and including a pharmacist, nurse practitioner, physician assistant, and acupuncturist”.

25 SECTION 8. Section 5F of chapter 112 of the General Laws, as so appearing, is hereby
26 amended by inserting, in the second paragraph, after the words “requirements of a” in the fifth
27 sentence, the words, “mental health,”.

28 SECTION 9. Section 6 of chapter 112 of the General Laws, as so appearing, is hereby
29 amended by striking out in the first sentence the following words: “by a fine of not less than one

30 hundred nor more than one thousand dollars or by imprisonment for not less than one nor more
31 than one year, or both”, and by inserting in place thereof the following:-

32 by imprisonment in the state prison for not less than two and one-half years nor more than five
33 years or by a fine of not more than five thousand dollars and imprisonment in a jail or house of
34 correction for not more than two and one-half years, or both such fine and imprisonment.

35 SECTION 10. Section 159 of chapter 112 of the General Laws, as so appearing, is
36 hereby amended by striking out in the first sentence the following words: “by a fine of not less
37 than one hundred nor more than one thousand dollars, or by imprisonment for not less than three
38 months, or both such fine and imprisonment”, and by inserting in place thereof the following:-

39 by a fine of not more than five thousand dollars, or by imprisonment in the state prison for not
40 less than two and one-half years nor more than five years, or imprisonment in a jail or house of
41 correction for not more than two and one-half years, or both such fine and imprisonment.

42 SECTION 11. Section 160 of chapter 112 of the General Laws, as so appearing, is
43 hereby amended by striking out in the second sentence the following words: “by a fine of not
44 less than one hundred nor more than one thousand dollars, or by imprisonment for not less than
45 one month nor more than one year, or both”, and by inserting in place thereof the following:-

46 by a fine of not more than five thousand dollars, or by imprisonment in the state prison for not
47 less than two and one-half years nor more than five years, or imprisonment in a jail or house of
48 correction for not more than two and one-half years, or both such fine and imprisonment.

49 SECTION 12. Section 26 of chapter 221 of the General Laws, as so appearing, is
50 hereby amended by inserting, after the words “physician registered in the commonwealth” in the
51 first sentence, the following words:-
52 “is arraigned for any crime, except civil infractions under section 70C of chapter 277, or”