

**SENATE . . . . . No. 893**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Marc R. Pacheco**

*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 specialty health care providers.

PETITION OF:

NAME:

Marc R. Pacheco

DISTRICT/ADDRESS:

First Plymouth and Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO SPECIALTY HEALTH CARE PROVIDERS.

*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. Chapter 111, section 25B shall be amended as follows:

2 Insert within the definition of “health care facility” the following: “specialty health care  
3 providers as defined herein.”;

4 Section 2. Insert the following new definition:

5 “Specialty health care provider,” any entity including a physician practice providing outpatient  
6 services typically provided in a hospital setting, including but not limited to: (1) an entity  
7 providing anesthesia, conscious sedation and/or diagnostic injection services (including  
8 endoscopy services and excluding dental facilities); (ii) an entity employing major medical,  
9 diagnostic and/or therapeutic equipment, including but not limited to equipment defined as new  
10 technology or as providing an innovative service, pursuant to chapter 111, section 25B and  
11 excluding x-ray equipment; and (iii) which is not a hospital, ambulatory surgical center or  
12 community health center. The department shall promulgate regulations with respect to the  
13 classification of specialty health care providers.”;

14 Section 3. Insert within the definition of “expenditure minimum with respect to substantial  
15 capital expenditures,” after the clause “other than ambulatory surgery”, the following:

16 “or other than expenditures with respect to a specialty health care provider.”; and

17 Section 4. Chapter 111 of the general Laws is hereby amended by inserting after section 53G, as  
18 added by section 11 of chapter 305 of the acts of 2008, the following:

19 Notwithstanding any general or special law or regulation to the contrary, any specialty health  
20 care provider shall be a clinic for the purpose of licensure under section 51 and no original  
21 license shall be issued pursuant to said section 51 to establish any such specialty health care

22 provider clinic unless there is a determination by the department that there is a need for such a  
23 facility. The department shall promulgate regulations to implement this section, including with respect  
24 to the classification and grandfathering of existing specialty health care providers.”

25