

**HOUSE . . . . . No. 02371**

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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 passage 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. 02371

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 2371) of Michlewitz for legislation to regulate unfair methods of competition and unfair or deceptive acts or practices of health care providers Joint Committee on Public Health.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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 Section 1. Chapter 118G of the General Laws is hereby amended by after section 15 inserting the
- 2 following new section:
- 3 15A: 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 recoup any
- 6 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 division shall monitor health care provider charges to ensure compliance with this section
- 10 and shall report any non-compliance to the attorney general. The division of health care finance

- 11 and policy in cooperation with the office of the attorney general shall promulgate regulations
- 12 enforcing this subsection, which shall include penalties for noncompliance.