

HOUSE No. 2443

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 to promote timely physician licensure and credentialing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>

HOUSE No. 2443

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 2443) of Mark J. Cusack and Marjorie C. Decker relative to promoting timely physician licensure and credentialing. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to promote timely physician licensure and credentialing.

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 2 of chapter 112 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the sixth paragraph the following
3 paragraph:--

4 If the board has not made a determination on a physician’s application for renewal of the
5 certificate of registration within 120 days of submission of a complete renewal application, the
6 board shall issue a temporary registration to the physician so that the physician can complete the
7 internal hospital credentialing and privileging process at the hospital at which the physician is
8 employed or at the hospital at which the physician will be employed.

9 SECTION 2. Said section 2 of chapter 112, as so appearing, is hereby further amended by
10 inserting at the end thereof the following paragraph:

11 Notwithstanding any other provision of this chapter, the board shall allow Massachusetts
12 licensed physicians to obtain proxy credentialing and privileging for telemedicine services with

13 other healthcare providers as defined in Section 1 of Chapter 111 of the general laws or facilities
14 consistent with the requirements of the Centers for Medicare and Medicaid Conditions of
15 Participation, 42 CFR §§ 482.12 and 482.22. For the purposes of this section, “telemedicine”
16 shall mean the use of audio, video or other electronic media for the purpose of diagnosis,
17 consultation, and treatment of a patient's physical and mental health that meets applicable health
18 information privacy and security standards as well as standards for informed consent similar to
19 those provided during an in-person visit. Telemedicine shall not include audio-only telephone,
20 facsimile machine, online questionnaires or text-only e-mail.

21 SECTION 3. Notwithstanding any general or special law or rule or regulation to the
22 contrary, the Division of Health Professions Licensure within the Department of Public Health
23 and the Division of Professional Licensure within the Office of Consumer Affairs and Business
24 Regulation shall allow licensees to obtain proxy credentialing and privileging for telemedicine
25 services with other healthcare providers, as defined in section 1 of chapter 111 of the general
26 laws, and other allied mental health or human service professionals, as defined in section 163 of
27 chapter 112 of the general laws, or facilities consistent with the requirements of the Centers for
28 Medicare and Medicaid Conditions of Participation, 42 CFR §§ 482.12 and 482.22. For the
29 purposes of this section, “telemedicine” shall mean the use of audio, video or other electronic
30 media for the purpose of diagnosis, consultation, and treatment of a patient's physical and mental
31 health that meets applicable health information privacy and security standards as well as
32 standards for informed consent similar to those provided during an in-person visit. Telemedicine
33 shall not include audio-only telephone, facsimile machine, online questionnaires or text-only e-
34 mail.

35 SECTION 4. Notwithstanding any general or special law or regulation to the contrary,
36 within 6 months of enactment of this Act, the Board of Registration in Medicine shall, in
37 conjunction with the Division of Professional Licensure within the Office of Consumer Affairs
38 and Business Regulation, develop a process to quantify improved access for patients,
39 efficiencies, costs, task and time reductions for providers through the implementation of the
40 proxy credentialing provisions for telemedicine services in sections 2 and 3 of this Act and shall
41 annually issue a report to the Joint Committee on Health Care Financing, Joint Committee on
42 Public Health and the Bureau of Managed Care within the Division of Insurance.