

SENATE No. 2236

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Thursday, July 3, 2014

The committee on Health Care Financing, to whom was referred the Senate Bill prohibiting clinical laboratory self-referrals (Senate, No. 1932), reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2236).

For the committee,
James T. Welch

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An Act prohibiting clinical laboratory self-referrals.

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

1 Chapter 111D of the General Laws, as appearing in the 2010 Official Edition, is hereby
2 amended by inserting after Section 13 the following section:-

3 Section 14. The Center for Health Information and Analysis shall analyze Medicaid and
4 private payer data necessary to identify disparity in the ordering and utilization of anatomic
5 pathology services, as defined by M.G.L.A. 111 § 225, by physicians , or their family members,
6 who have an ownership or financial interest in the laboratory or other entity performing or billing
7 for such services under 42 USC § 1395nn(b), compared with the ordering and utilization of such
8 services by physicians without such ownership or financial interests. The center may require
9 claims data to include information necessary to conduct this analysis, including, but not limited
10 to: (1) physician ownership or financial interest disclosures, when such services are provided
11 under 42 USC § 1395nn(b), (2) ordering physician medical specialty, (3) place of service
12 identification and (4) any other relevant information, as determined to be appropriate by the
13 center through regulation. Requirements for identification of ownership and financial interest
14 shall not be construed by the Center to apply to anatomic pathology services ordered in academic

15 medical centers, in a hospital for inpatients or outpatients of the facility, or in other not-for-profit
16 facilities. The center shall report to the Legislature by July 1, 2015 for claims data examined for
17 calendar year 2014 and, if feasible, include prior years for historical comparison.