

SENATE No. 00513

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

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 to provide for the privacy of information submitted by hospital medical staff..

PETITION OF:

NAME:

Thomas P. Kennedy

DISTRICT/ADDRESS:

Second Plymouth and Bristol

SENATE No. 00513

By Mr. Kennedy, petition (accompanied by bill, Senate, No. 513) of Kennedy for legislation to provide for the privacy of information of submitted by medical staff [Joint Committee on Health Care Financing].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. 545 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to provide for the privacy of information submitted by hospital medical staff..

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 of the General Laws is hereby amended by inserting after
2 section 57D the following new sections: --

3 Section 57E. Definitions.

4 (1) "Hospital" as used in section 57F means any hospital licensed under section 51 of this
5 chapter.

6 (2) "Medical staff" as used in section 57F means those physicians and other health care
7 professionals who are privileged to attend patients in a hospital.

8 Section 57F.

9 All personal and financial information disclosed by members of a hospital medical staff,
10 or, by physicians or other health care professionals seeking to join a hospital's medical staff
11 pursuant to hospital conflict of interest policies shall not be used for other purposes or disclosed
12 to other parties. This section does not relieve any individual or hospital of the duty to comply
13 with requirements of any applicable general or special law regarding the protection and privacy
14 of personal information.

15 Section 57G.

16 Any person who has been injured by a violation of section 57F of this chapter may bring
17 an action in the superior court for damages and such equitable relief as the court deems necessary
18 and proper.

19 SECTION 2. This Act shall take effect on October 1, 2012.